STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
OFFICE OF FINANCIAL AND INSURANCE REGULATION

Before the Commissioner of the Office of Financial and Insurance Regulation

In the matter of:

MONICA BAHRI
System ID No. 0466022

Enforcement Case No. 12-11456

Respondent.
_____/

Issued and entered
this 24th day of September 2012
by Annette E. Flood
Chief Deputy Commissioner

CONSENT ORDER AND STIPULATION

I.
BACKGROUND

1. The Office of Financial and Insurance Regulation (OFIR) conducted an investigation of Monica Bahri (formerly Monica Raymond) (Respondent) and determined that she committed acts that provide justification for disciplinary action pursuant to the Michigan Insurance Code (Code), 1956 PA 218, as amended, MCL 500.100 *et seq.*.

2. The Respondent has cooperated with regulators conducting the investigation by responding to inquiries, providing documentary evidence and other materials, and immediately halting activities that violate the Code.

3. The Respondent, as part of this Consent Order and Stipulation (Order), has agreed to make certain payments and disclosures; and,

4. Respondent as evidenced by her signature below, admits the jurisdiction of OFIR, voluntarily consents to the acceptance of this Order and elects to permanently waive any right to a hearing and appeal under the Administrative Procedures Act of 1969 (APA), 1969 PA 306, as amended, MCL 24.201 *et seq.*, and the Code with respect to this Order.

II.
FINDINGS OF FACTS

5. Respondent is a Michigan resident who is also a licensed resident producer agent with qualifications to transact business in property and casualty. System ID No. 0466022.

6. At all relevant times, Respondent was the designated resident licensed producer of LA Insurance, Inc. #133 located in Detroit, MI.

7. OFIR's investigation of the Respondent's business activities showed that from April 2008 through March 2012, Respondent knowingly permitted an unlicensed person to operate in the business of insurance.

8. More specifically, Respondent accepted insurance applications from an unlicensed person; however, Respondent was not present at the time of taking the applications.

9. Respondent signed all applications as the insurance producer and allowed the applications to be submitted to an insurance company to apply for coverage. Respondent did this without the knowledge or consent of the insured or the insurance company.

III.
CONCLUSIONS OF LAW

10. Respondent is a licensed resident insurance producer and subject to the jurisdiction of OFIR.

11. Respondent knew or should have known that Section 1239(1)(l) of the Code, MCL 500.1239(1)(l), provides that the Commissioner may suspend or revoke an insurance producer's license, or impose a civil penalty against an insurance producer who knowingly accepts insurance business from an individual who is not licensed.

12. Respondent knowingly accepted insurance business from an unlicensed person.

13. Respondent's actions provide justification for the Chief Deputy Commissioner to impose civil penalties and sanctions including revocation of licensure against Respondent for knowingly accepting insurance business from an individual who is not licensed.

IV.
ORDER

NOW THEREFORE, IT IS HEREBY ORDERED:

1. The Respondent shall immediately come into compliance with all provisions of the Code.

2. The Respondent shall **PAY** a civil fine in the amount of $1,700 (seventeen hundred dollars).

3. The Respondent shall subject herself to heightened supervision for a period of two years to ensure that she is transacting business in Michigan in compliance with the Code.

4. The Respondent shall make a written, signed and notarized report to be submitted to OFIR on an OFIR-approved form certifying that the Respondent is in compliance with the Code and this Consent Order.

5. The Respondent shall forward to OFIR copies of any written or oral customer complaints regarding the Respondent within thirty (30) days of receipt of the complaints. The filing of an amended Form U-4, if applicable, will not be considered written notice for the purposes of this provision.

6. The Respondent shall keep OFIR apprised of the status of any new investigations brought against the Respondent and shall provide to OFIR a copy of all pleadings, judgment, awards or orders filed in furtherance of each action.

7. The Respondent, during the two year period of heightened supervision, shall provide OFIR with the name, address and telephone number of each employer with whom she is employed and the name of the employer's compliance supervisor. For any periods of unemployment, Respondent must provide a written, signed and notarize statement of any and all insurance business engaged in during the periods of unemployment.

8. All disclosures and reports must be addressed to: OFIR Market Conduct Unit at 611 W. Ottawa St., 3rd Fl. Lansing, MI 48909.

9. This Agreement is entered into solely for the purpose of resolving the referenced investigation and is not intended to be used for any other purpose.

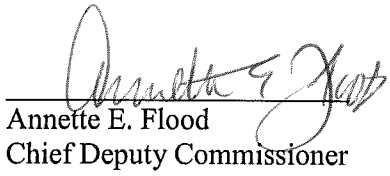
10. If Respondent defaults in any of her obligations set forth in this Order, OFIR may vacate this Order, at its sole discretion, upon 10 days notice to Respondent and her attorney of record and without opportunity for administrative hearing.

11. If Respondent, directly or indirectly, causes the appropriation of her insurance producer license to be used in a manner noncompliant with the Code, OFIR will immediately issue a summary suspension of the Respondent's insurance producer license and qualifications.

12. This Order is restricted to the above-named Respondent. For any person or entity not a party to this Order, this Order does not limit or create any private rights or remedies against Respondent, does not limit or create liability of Respondent, or limit or create defenses of Respondent to any claims.

13. Nothing herein shall preclude the State of Michigan, its departments, agencies, boards, commissions, authorities, political subdivisions and corporations from asserting any claims, causes of action, or applications for compensatory, nominal and/or punitive damages, administrative, civil, criminal, or injunctive relief against Respondent in connection with the above-mentioned violations.

14. This Agreement shall be construed and enforced in accordance with, and governed by, the laws of the state of Michigan without regard to any choice of law principles.



Annette E. Flood
Chief Deputy Commissioner

V.
STIPULATION

1. Respondent understands and agrees that this Stipulation to Entry of Order will be presented to the Chief Deputy Commissioner for approval.

2. The Chief Deputy Commissioner may, in her sole discretion, decide to accept or reject the Consent Order and Stipulation. If the Chief Deputy Commissioner accepts the Consent Order and Stipulation, Respondent waives the right to a hearing in this matter and consents to the entry of the Consent Order and Stipulation. If the Chief Deputy Commissioner does not accept the Consent Order and Stipulation, Respondent waives any objection to the Commissioner holding a formal administrative hearing and making his decision after such hearing.

3. Respondent has had an opportunity to review the Consent Order and Stipulation and had the same reviewed by legal counsel.

4. It is further stipulated, by and between the parties hereto, if Respondent defaults in any of her obligations set forth in this Order, OFIR may vacate this Order, at its sole discretion, upon 10 days notice to Respondent and her attorney of record and without opportunity for administrative hearing.

5. It is further stipulated, by and between the parties hereto, that in recognition of the requirement that a licensee must show honesty, trustworthiness, business experience, character, and general fitness to reasonably warrant a belief that the licensee will conduct business lawfully and fairly, and that in so making that determination the Commissioner may review the competence, experience, integrity, and financial ability of the Respondent should the Respondent fail to comply with the Consent Order and Stipulation by failing to pay the administrative and civil fines as set forth above, such failure will be taken as evidence of a lack of financial responsibility, competence, integrity, trustworthiness, character and/or general fitness and result in the denial of any license or registration renewal and the denial of future applications for any licensure or registration of Respondent until compliance is shown with the terms of the Consent Order and Stipulation.

6. It is further stipulated, by and between the parties hereto, that the amount of administrative and civil fines has been negotiated in return for the avoidance of further proceedings and certain promises and conditions, one of which is the timely payment of said administrative and civil fines.

7. Should Respondent fail to pay the administrative and civil fines in accordance with the terms of the Consent Order and Stipulation, the parties agree that an action will commence to determine if the Respondent has, in fact, failed to pay, and, if so, Respondent agrees that the administrative and civil fines will immediately increase to the maximum amount allowed under the Act and shall be immediately due in full.

Monica Bahri
Respondent

Dated: 9/14/12

The OFIR staff approves this stipulation and recommends that the Chief Deputy Commissioner issue the above Consent Order.

Elizabeth V. Bolden
OFIR Staff Attorney

Dated: 9/19/2012