STATE OF VERMONT DEPARTMENT OF FINANCIAL REGULATION

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| IN RE: MATTHEW F. GANIS |) | DOCKET NO. 18-054-1 |
| NPN # 2778906 |) | |

DEFAULT JUDGMENT AND ORDER

Findings of Fact

- 1. Respondent, MATTHEW F. GANIS, whose address of record is 904 W. Georgia Ave., Phoenix, AZ, 85013, was issued a resident producer license in the State of Arizona on December 22, 1998.
- 2. Respondent was issued Vermont non-resident producer license # 701312 on June 2, 2010, which license currently has an expiration date of March 31, 2019.
 - 3. Respondent no longer holds his resident producer license in Arizona.

Conclusions of Law

- 4. Pursuant to 8 V.S.A. § 4804(a)(2), the Commissioner has the authority to revoke a non-resident license if, after notice and opportunity for hearing, he finds a condition now exists for which the licensee's license could have been refused had the condition existed at the time of issuance.
- 5. Pursuant to 8 V.S.A. § 4813h, the Commissioner's issuance of a non-resident producer license is predicated upon the licensee having a resident producer license in good standing in the licensee's home state.
- 6. Pursuant to 8 V.S.A. § 4804(a)(2), the Commissioner has the authority to revoke a non-resident license if, after notice and opportunity for hearing, he finds the licensee's license is not in good standing in his or her home state.
- 7. Pursuant to 8 V.S.A. § 15 the Commissioner may issue orders necessary to the administration of and to carry out the purposes of Title 8 of the Vermont Statutes.
- 8. Respondent, pursuant to Section 5(a) of Regulation 82-1 (Revised) ("Regulation 82-1"), was required to file an answer no later than 30 days after the date of service of the petition in this contested case.

- 9. Section 12 of Regulation 82-1 provides, that where a Respondent, against whom a pleading initiating a contested case has been properly served, fails to answer within the time-period specified in Section 5(a) or fails to defend the charge, the Petitioner may move for a decision by default. The Commissioner may render a decision by default at any time after the passage of ten days from the date of filing and service of the motion for default, whereupon the Commissioner may issue any applicable order.
- 10. Section 5(b) of Regulation 82-1 provides, that if a Respondent fails to serve an answer timely, the allegations contained in the pleading that initiated the contested case will be treated as proven and a default judgment may be entered as provided in Section 12 of this regulation.
- 11. Respondent has failed to respond to the Insurance Division's Motion for Default Judgment and ten (10) days have passed since the time of the filing of the motion.

ORDER

IT IS HEREBY ORDERED THAT:

- A Default Judgment is entered against Respondent pursuant to Section
 of Regulation No. 82-1 and a decision by default is rendered.
- 2. The non-resident producer license of **MATTHEW F. GANIS**, license # 701312, is hereby revoked, effective immediately.
- 3. Respondent shall, pursuant to 8 V.S.A.§ 4806, forthwith deliver his license to the Department by personal delivery or by mail.

Dated at Montpelier, Vermont this day of October 2019.

Michael S. Pieciak, Commissioner

Vermont Department of Financial Regulation