

**STATE OF VERMONT  
DEPARTMENT OF FINANCIAL REGULATION**

**IN RE: MICHAEL ROBERT DIETZEL  
NPN 10624315**

)  
) **DOCKET NO. 18-051-I**  
)

**DEFAULT JUDGMENT AND ORDER**

**Findings of Fact**

1. Respondent, **MICHAEL ROBERT DIETZEL**, whose address of record is 8121 Yorkshire Drive, Mentor, OH 44060-3847, was issued a resident producer license in the State of Ohio on April 10, 2008.
2. Respondent was issued Vermont non-resident producer license # 765288 on July 26, 2011, which license currently has an expiration date of March 31, 2019.
3. Respondent no longer holds his resident producer license in Ohio.
4. Respondent's nonresident producer license was revoked in Nebraska.

**Conclusions of Law**

5. A nonresident producer license is predicated upon the licensee having a resident producer license in good standing in the licensee's home state. Respondent does not currently have a resident producer license in his home state of Ohio, in violation of 8 V.S.A. § 4813h.
6. The Commissioner may revoke a non-resident producer license if he finds circumstances currently exist that would have caused the Commissioner to refuse to issue the license had the circumstances existed at that time. Respondent holds a non-resident producer license without having a resident producer license in good standing in his home state in violation of 8 V.S.A. § 4804(a)(2).
7. The Commissioner may revoke any non-resident producer license if he finds that the licensee has been suspended or revoked in any other state. 8 V.S.A. § 4804(a)(10). Respondent's license was revoked in Nebraska.
8. 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.
9. 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.
10. 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.

11. 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.

12. 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:**

1. A Default Judgment is entered against Respondent pursuant to Section 12 of Regulation No. 82-1 and a decision by default is rendered.

2. The non-resident producer license of **MICHAEL ROBERT DIETZEL**, license # 765288, 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 13<sup>th</sup> day of May 2019.

  
Michael S. Pieciak, Commissioner  
Vermont Department of Financial Regulation