

STATE OF VERMONT  
DEPARTMENT OF FINANCIAL REGULATION

IN RE: TODD ALLEN BRANDON

)  
)  
)

DOCKET NO. 19-010-I

**STIPULATION AND CONSENT ORDER**

This Stipulation and Consent Order is entered this 12 day of April, 2019 by and between **Todd Allen Brandon** (Respondent) and the Vermont Department of Financial Regulation (the Department).

**WHEREAS**, the Commissioner of the Department (Commissioner) is responsible for administering and enforcing the insurance laws of the State of Vermont, as set forth in 8 V.S.A. §§ 11, 13, and 15; and Title 8, Chapters 129 and 131.

**WHEREAS**, as a result of its investigation, the Department alleges that Respondent has violated the insurance laws, as set forth below; and

**WHEREAS**, Respondent, while not admitting the Department's findings and conclusions, wishes to resolve this matter without further administrative proceedings; and

**WHEREAS**, Respondent elects to permanently waive any right to a hearing and appeal under the Vermont Administrative Procedure Act, Title 3, Chapter 25 of the Vermont Statutes annotated, the rules, regulations and orders of the Commissioner, and any right to judicial review by any court with respect to the Consent Order;

**NOW THEREFORE**, the Commissioner makes findings and conclusions as follows:

**Findings of Fact**

1. Respondent TODD ALLEN BRANDON holds Vermont non-resident producer license # 561887, first issued October 1, 2007 with an expiration date of March 31, 2019.
2. Respondent's current registered business address is 217 Aragon Ave, Coral Gables, FL 33134 and his current registered mailing address is PO Box 140847, Coral Gables, FL 33114-0847
3. Respondent's current resident state is Florida.
4. In April 2018, the Commissioner received notification from the National Association of Insurance Commissioners that the State of Louisiana had imposed an administrative penalty against Respondent on March 2, 2018 for failure to report another state's action.



5. On December 1, 2017 Florida fined Respondent \$7500.00 for the employment of unlicensed individuals.

6. The Department took note of the actions at that time but decided to wait for the renewal period to provide an opportunity for Respondent to disclose the administrative actions taken in Louisiana and Florida. Respondent failed to disclose the actions when seeking renewal of his non-resident producer license.

7. Pursuant to 8 V.S.A. § 4813o, a producer is required to report to the Commissioner any administrative action taken against the producer in another jurisdiction within 30 days of the final disposition of the matter.

8. A producer applying for renewal violates 8 V.S.A. § 4804(a)(1) when such producer provides incorrect, incomplete, or misleading information in the application.

9. Respondent failed to make the required disclosure of the Louisiana and the Florida actions within the statutory time period and again when applying for renewal.

### **Conclusions of Law**

10. Pursuant to 8 V.S.A. §§ 11, 13, and 15 the Commissioner is charged with enforcing the insurance laws of the State of Vermont.

11. It is a violation of 8 V.S.A. § 4813o to fail to report to the Commissioner any administrative action taken against the producer in another jurisdiction within 30 days of the final disposition of the matter.

12. It is a violation of 8 V.S.A. § 4804(a)(1) to provide incorrect, misleading, incomplete, or materially untrue information in the license application.

### **Consent Order**

**NOW THEREFORE**, based on Respondent's stipulation and on the basis of the Findings of Fact and Conclusions of Law, the Commissioner issues the following Order:

13. If the Respondent fails or neglects to comply with any of the terms, conditions or undertakings set forth in this Stipulation and Consent Order, the Department may, upon written notice to Respondent, institute any legal or administrative proceeds it deems appropriate to enforce same and to seek such other appropriate sanctions, and Respondent shall consent to the entry of judgment for any unpaid balance.

14. Respondent shall pay an administrative penalty in the amount of \$250.00 to the Department within thirty (30) days of the execution of this Stipulation and Consent Order.

15. Nothing in this Stipulation and Consent order shall be construed as limiting the Commissioner's authority to investigate Respondent for matters not resolved by the Stipulation or for matters unrelated to this Stipulation.

16. Nothing here shall be construed as limiting any private action a person may have.



17. Respondent acknowledges he has had the opportunity to consult with counsel or has been represented by counsel in this matter and voluntarily waives his right to a hearing on this matter and to judicial review of this matter.

18. Respondent further acknowledges the Commissioner retains jurisdiction over this matter for purposes of enforcing this Order.

19. This Order shall be governed by and construed under the laws of the State of Vermont.

20. This order is entered into solely for the purpose of resolving this matter and is not intended to be used for any other purpose

**Consent by Todd Allen Brandon**

21. Todd Allen Brandon hereby admits the jurisdiction of the Commissioner over the subject matter of this proceeding and knowingly and voluntarily waives his right to a hearing before the Commissioner or his designee and all other procedures otherwise available under Vermont law, the rules of the Department, the provision of Title 3, Chapter 25 or any right he may have to judicial review of this matter.

22. Respondent acknowledges this Consent Order constitutes a valid order duly rendered by the Commissioner and agrees to be bound by it.

23. Respondent acknowledges and agrees this Consent order is entered into freely and voluntarily.

24. Respondent acknowledges his understanding of all terms, conditions, and obligations contained in the Consent Order and further acknowledges that should he fail to comply with any and all provisions of the Consent Order, the Commission may impose additional sanctions and seek appropriate relief subject to the Respondent's right to a hearing pursuant to Vermont Insurance laws.

4/12/2019  
Date

Todd Allen Brandon  
Todd Allen Brandon

**SO ORDERED.**

Entered at Montpelier, Vermont this 16<sup>th</sup> day of April, 2019

Michael S. Pieciak  
Michael S. Pieciak, Commissioner

