

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE
BUILDINGS 68 AND 69
CRANSTON, RI 02920**

IN THE MATTER OF:	:	
	:	
ROBIN WARDLE,	:	DBR No. 11-I-0087
	:	
RESPONDENT.	:	

FINAL ORDER OF DENIAL

On January 11, 2013, the undersigned Hearing Officer received an email from the Department of Business Regulation (“Department”) counsel requesting that the above-captioned matter be finally adjudicated, without hearing, based on the Department’s confirmation that the Respondent has not complied with renewal requirements for the renewal of her Rhode Island Insurance Producer license (“Insurance Producer License”) and the evidence submitted at pre-hearing conference on this matter. The Respondent was copied on the January 11, 2013 email and has not responded to the Department’s representation. The undersigned Hearing Officer, therefore, makes the following recommendation to deny the Respondent’s September 30, 2010 application to renew her Insurance Producer License. The recommendation is based on the following Findings of Fact and Conclusions of Law.

I. FINDINGS OF FACT

- A. On or about September 21, 2011, the Director of the Department issued an Order to Show Cause, Notice of Hearing and Appointment of Hearing Officer (“Order to Show Cause”) indicating that:

1. R.I. Gen. Laws § 27-2.4-9(b) requires that Respondent, as a condition of the renewal of her Insurance Producer license, certify that she has completed 24 hours of continuing education requirements for each renewal cycle pursuant to R.I. Gen. Laws § 27-3.2-6 and Insurance Regulation 6.
 2. Respondent failed to provide documentation that she had complied with the requisite continuing education requirements when she renewed her Insurance Producer license in September 2010.
 3. Respondent, when she took the Insurance Producer examination in 2007, was under the mistaken belief that she was applying for and taking the Insurance Adjuster application and examination (for which continuing education is not a renewal requirement).
 4. Respondent never notified or represented that she did not receive the incorrect license. In fact, after passing the Insurance Producer examination, Respondent applied for a license online, indicating that she was applying for an Insurance Producer license and was issued an Insurance Producer License.
 5. Respondent's renewal application was denied by the Department due to her failure to confirm compliance with continuing education requirements pursuant to R.I. Gen. Laws §§ 27-2.4-9(b), 27-3.2-6, and Insurance Regulation 6.
- B. Respondent requested a hearing on the denial and appeared at a prehearing conference on October 12, 2011 at which time she confirmed that she had applied for and received the wrong license and that it was her intent to obtain an Insurance Adjuster license, not an Insurance Producer license.
- C. Respondent represented to the undersigned Hearing Officer that she would be withdrawing her Insurance Producer License renewal application and the

Department indicated that upon receipt of that withdrawal, the Department would withdraw its Order to Show Cause.

- D. The Department, in its January 11, 2013 email, indicates that it has made numerous attempts to contact Respondent to request the withdrawal, but Respondent has failed to respond or withdraw the September 2012 application to renewal her Insurance Producer License.
- E. To date, Respondent has not provided proof of compliance with continuing education requirements pursuant to R.I. Gen. Laws §§ 27-2.4-9(b), 27-3.2-6, and Insurance Regulation 6.


II. CONCLUSIONS OF LAW

- A. The Department has jurisdiction over this matter pursuant to R.I. Gen. Laws §§ 42-14-1 et seq., 27-2.4-1 et seq., and 27-3.2-1 et seq.
- B. Respondent has not complied with continuing education requirements pursuant to R.I. Gen. Laws § 27-3.2-6, and Insurance Regulation 6 as required for the renewal of her Insurance Producer License.
- C. The Department has established that Respondent's Insurance Producer License renewal application should be denied pursuant to R.I. Gen. Laws § 27-2.4-9(b).

III. RECOMMENDATION

Based on the evidence presented, the undersigned Hearing Officer respectfully recommends that the Director: issue an Order denying Respondent's Insurance Producer License Renewal Application.

Dated: 2/1/13



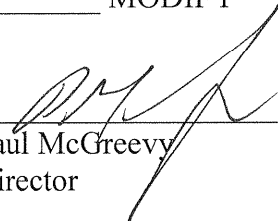
Neena Sinha Savage, Esq.
Hearing Officer

ORDER

I have read the Hearing Officer's Recommendation in this matter, and I hereby take the following action with regard to the Recommendation:

ADOPT
 REJECT
 MODIFY

Dated: 9 Feb 2003



Paul McGreevy
Director

NOTICE OF APPELLATE RIGHTS

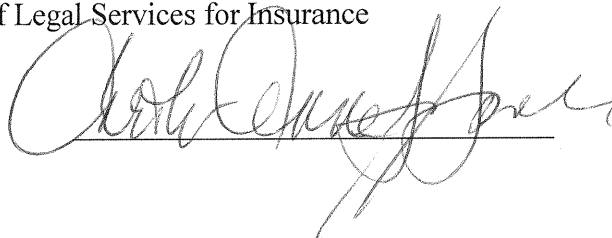
THIS ORDER CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

CERTIFICATION

I hereby certify on this 4th day of February 2013 that a copy of the within Order was sent by first class mail, postage prepaid and certified mail to:

Robin E. Wardle, 128 Council Rock Road, Cranston, RI 02921

and also to the following parties at the Department of Business Regulation by electronic mail:
Neena Sinha Savage, Hearing Officer
Elizabeth Kelleher Dwyer, Esq. Deputy Chief of Legal Services for Insurance

A handwritten signature in cursive script, appearing to read "Elizabeth Kelleher Dwyer", is written over a horizontal line.