



**STATE OF RHODE ISLAND
DEPARTMENT OF BUSINESS REGULATION
DIVISION OF INSURANCE
1511 PONTIAC AVENUE, BUILDING 69-2
CRANSTON, RI 02920**

IN THE MATTER OF:

RYAN E. HEISS

RESPONDENT.

DBR No.: 2021-IN-008;

&

NPN No.: 19760089

CONSENT ORDER

Whereas the Rhode Island Department of Business Regulation (“Department”) issued an Emergency Order Suspending Producer License; Order to Show Cause Why an Order Should Not Issue to Revoke Insurance Producer License; Notice of Hearing and Appointment of Hearing Officer (the “Order”) on June 14, 2021;

Whereas Ryan E. Heiss (“Respondent”) has a Rhode Island resident insurance producer license (“License”), first issued on February 26, 2021, and it currently has an expiration date of March 31, 2023;

Whereas Respondent’s License has been suspended since the Order was issued;

Whereas a Prehearing Conference was conducted on June 28, 2021, a status conference was held on November 19, 2021, and the Department and the Respondent met and conferred several times during the issuance of the Order period;

Whereas a full administrative hearing was conducted on December 20, 2021;

Whereas the Department and Respondent have met and conferred and rather than leaving the decision to the determination of the hearing officer, the parties have agreed upon a mutually acceptable resolution to the issues at hand.



Finding of Facts

1. Prior to the administrative hearing on December 20, 2021, Respondent provided the Department information supporting his Rhode Island residency at the time of his License application.
2. Prior to the administrative hearing on December 20, 2021, the Department agreed to drop the allegations in the Order in paragraphs 5-10 related to alleged deception on Respondent's license application related to his residency.
3. During the December 20, 2021 administrative hearing, the Department offered evidence from two insurance carriers and an insurance producer supporting their position that two altered certificates of insurance were presented to two insurance companies on Respondent's behalf.
4. During the December 20, 2021 administrative hearing, the Department offered evidence related to a website touting Respondent's business and insurance background that inflated his experience.
5. During the December 20, 2021 administrative hearing, the Respondent offered testimony that he had not previously seen the altered certificates of insurance referenced in paragraph three (3) above and that he himself did not present those altered certificates to the insurers, although Respondent agrees to the appearance of such.
6. And During the December 20, 2021 administrative hearing, the Respondent offered testimony that he had not previously been aware of the website referenced in the Order and in paragraph four (4) above.

Authority

7. R.I. Gen. Laws § 27-2.4-14(a) provides several bases for the Department to bring an action to revoke an insurance producer's license, including (5) Intentionally misrepresenting the



terms of an actual or proposed insurance contract or application for insurance; and (8) relating to the use of dishonest practices or untrustworthiness;

8. R.I. Gen. Laws § 42-14-16(a)(1) allows that the Department can revoke or suspend a license after hearing for violations of Title 27, Chapter 14 of Title 42, or regulations promulgated thereunder.

THEREFORE, based on the foregoing, the Director hereby **ORDERS**:

- I. That Respondent's resident insurance producer license be unsuspended, and remain in Active status for sixty (60) days from the date of this Consent Order, unless the provisions of Paragraph IV below apply.
- II. Sixty (60) days from the date of this Consent Order, Respondent's License to be placed into a Voluntary Surrendered status, unless that status is authorized sooner pursuant to Paragraph IV below.
- III. During that sixty (60) day period, Respondent is free to apply to any other state to convert his Rhode Island insurance producer license into a resident insurance producer license of another state.
- IV. If Respondent receives a resident insurance producer license from another state, Respondent agrees to notify the Department within seven (7) days and upon receipt of that notice, the Department will immediately surrender his Rhode Island resident insurance producer license.
- V. During the sixty (60) days referenced above, Respondent is Ordered to not sell, solicit or negotiate any insurance policies in Rhode Island.
- VI. Respondent agrees to not apply for any Rhode Island insurance licenses for three (3) years from the date of this Consent Order. During that three years' time, if Respondent applies for a license, the Department may summarily reject such application based on this Order without any appeal rights pursuant to this Consent Order.



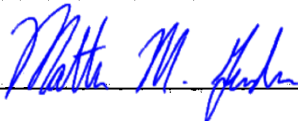
- VII. After three (3) years from the date of this Consent Order, should Respondent apply for an insurance license in Rhode Island, the Department will give that application due consideration. The Department is free to consider this Consent Order at any future time, however the Department agrees to consider other factors as well, and any decision will receive standard due process, with any rejection receiving all typical appellate rights
- VIII. Waiver of Hearing and Appeal. By agreeing to resolve this matter through the execution of this Consent Order, Respondent knowingly and voluntarily waives any right to a decision from the administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*
- IX. Enforcement. If Respondent fails to comply with any term or condition of this Consent Order within any applicable time period set forth herein, Respondent will be in violation hereunder and the Department shall be entitled to immediately to take enforcement or other action in accordance with applicable law.
- X. Compliance; Other Laws. Compliance with the terms of this Consent Order does not relieve Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department or any other governmental agency.

Counsel for the Department and Respondent hereby consent and agree to the foregoing on behalf of their respective clients this 21st day of January 2022.

Department of Business Regulation

By its Legal Counsel,

Matthew M. Gendron

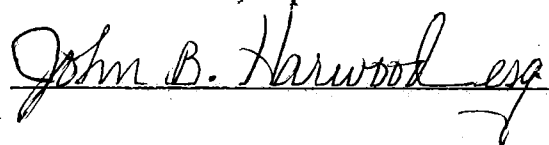


Ryan E. Heiss



Assented to by Counsel for Respondent

John B. Harwood, Esq.





Recommended by:



Date: 1/24/22

Catherine Warren, Esq.

Hearing Officer

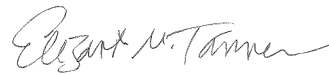
ORDER

I have read the Consent Order as agreed to by and between the parties in the above captioned matter and I hereby take the following action:

Approve

Reject

Dated: 01/24/2022



Elizabeth M. Tanner, Esq.

Director

NOTICE PURSUANT TO R.I. GEN. LAWS § 42-35-12,

THIS CONSENT ORDER CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO RHODE ISLAND GENERAL LAWS TITLE 42, CHAPTER 35. AS SUCH, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MAY BE COMPLETED BY FILING A PETITION FOR REVIEW OF SAID COURT. HOWEVER, RESPONDENT UNDERSTANDS THAT BY WAIVING ITS RIGHTS TO A COMPLETE HEARING AND AGREEING TO THIS CONSENT ORDER, THE ABOVE RIGHTS ARE WAIVED. IF ANY TERMS OF THIS CONSENT ORDER ARE VIOLATED, RESPONDENT'S LICENSE SHALL BE SUBJECT TO SUSPENSION OR REVOCATION.



CERTIFICATION

I hereby certify on this 25th day of January, 2022, that a copy of the within order was sent by first class mail, postage prepaid to:

Ryan E. Heiss 7 DEBORAH ROAD Worcester, MA 01605
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And by Electronic Delivery via Email Address: RyanHeiss@outlook.com;
JHarwood@harwoodgarland.com; Elizabeth.Dwyer@dbr.ri.gov; Catherine.Warren@doa.ri.gov,
Matthew.Gendron@dbr.ri.gov; and Rachel.Chester@dbr.ri.gov.

Diane L. Paravisini

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