

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE

In re:

Pablo Cabrera

National Producer No. 647857

Maine License No. PRN87986

Docket No. INS-15-217

**LICENSE REVOCATION
NOTICE, ORDER,
and
OPPORTUNITY FOR
HEARING**

NOTICE TO PABLO CABRERA:

Effective as of **July 10, 2015**, your Maine non-resident insurance producer license will be **REVOKED** without further formal proceedings unless you request a hearing as specified below.

The reasons for license revocation are as follows:

1. On October 16, 2011, you were charged with the following felonies: (i) 5 counts of sexual battery (child under 12); (ii) 1 count of attempted sexual battery; (iii) and 2 counts of attempted lewd or lascivious molestation (victim less than 12 years old). You failed to report any of these charges to the Maine Superintendent of Insurance as required by 24-A M.R.S. § 1420-P(2), which constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws.
2. On January 28, 2014, you were convicted of felony attempted sexual battery. You were sentenced to a maximum of 465 days in jail, and received a credit of time served of 465 days. You were also given 10 years' probation. You failed to report this conviction to the Maine Superintendent of Insurance as required by 24-A M.R.S. § 1420-P(2), which constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws.
3. Your felony conviction for sexual battery is within the three year time period in which the Superintendent may consider it as grounds for discipline. 5 M.R.S. §§ 5301-5303. The Superintendent finds that in light of the gravity of the crime, the recentness of your conviction, and the fact that you are still on probation, you have not been sufficiently rehabilitated to warrant the public trust. 5 M.R.S. § 5302. Your felony sexual battery conviction therefore constitutes grounds for the revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(F).
4. On August 22, 2014, the State of Florida revoked your resident insurance producer license based on the sexual battery conviction. The Florida revocation

constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws, and § 1420-K(1)(I), for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.

5. You failed to timely report the Florida revocation to the Maine Superintendent of Insurance as required by 24-A M.R.S. § 1420-P(1), which constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws.
6. As stated above, your producer license in your home state of Florida was revoked. Under 24-A M.R.S. § 1420-G(1)(A), one of the qualifications in order for a person to be issued a non-resident producer license in Maine is that “[t]he person is currently licensed as a resident and in good standing in that person’s home state.” Therefore, you also do not meet the minimum qualifications for nonresident licensing in Maine as your home state license in Florida was revoked.

Therefore, based upon the above grounds, your Maine insurance producer license is **revoked** as of **July 10, 2015**, pursuant to 24-A M.R.S. §§1417 and 1420-K, subject to your right to request a hearing.

Under the Maine Insurance Code, specifically 24-A M.R.S. §1417 and §1420-K, you have the right to a hearing before the Superintendent or his designee. If you request a hearing, you will have the right to present evidence and arguments in your defense, and the staff of the Bureau of Insurance will bear the burden of proving each violation by a preponderance of evidence. With respect to Paragraph 3, if the Bureau of Insurance meets its burden to show the existence of your conviction, you will then bear the burden of proving that there exists sufficient rehabilitation to warrant the public trust pursuant to 5 M.R.S. § 5302.

If you request a hearing, you will receive further communication regarding scheduling. The matters to be determined through the hearing process are whether you committed one or more of the violations listed above, and if so, the appropriate sanctions for those violations. The sanctions imposed after a hearing can include any available remedy under applicable laws, including the payment of civil penalties.

To request a hearing, you must notify the Bureau of Insurance in writing no later than July 10, 2015. If you do not file a written request for a hearing within 30 days from the time you knew or reasonably should have known of the revocation of your license through this Notice and Order, you will lose your right to request a hearing on this license revocation Notice and Order.

Any request for a hearing, as well as all other communications regarding this Notice, Order, and Opportunity for Hearing must be addressed to Bureau Licensing Attorney Kristina M. Balbo, Bureau of Insurance, #34 State House Station, Augusta, Maine 04333-0034 (for US Postal Service deliveries) or 76 Northern Avenue, Gardiner, Maine 04345

(for private carrier deliveries, such as FedEx or UPS). You may also reach Attorney Balbo by e-mail at kristina.m.balbo@maine.gov or by telephone at (207) 624-8429.

June 4, 2015



Eric A. Cioppa
Superintendent of Insurance