

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

IN RE:)
)
TESSA A. LIBBY) DECISION AND ORDER
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Docket Number: INS 20-600)
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)

On March 17, 2020, Tessa A. Libby, a resident of Maine, submitted an Application for Written Consent to Engage in the Business of Insurance to the Maine Bureau of Insurance. This application was submitted pursuant to Title 18 U.S.C. §§ 1033-1034.

On March 4, 1999, Tessa A. Libby pled guilty to Commercial Burglary and Theft of Property, both Class C felonies, in the Circuit Court of Lincoln County Arkansas (Docket Number LCR 99-19-1). Her conviction related to a theft that occurred on January 16, 1999 at a Circle N Store at which Ms. Libby was employed. Ms. Libby was sentenced to 36 months' probation and ordered to pay a \$750.00 fine, costs, and \$506.00 in restitution to her employer. Ms. Libby completed probation on July 2, 2001.

Title 18 U.S.C. § 1033 prohibits a person from participating in the business of insurance if they have been convicted of a felony that involves dishonesty or a breach of trust. The statute also allows a person who has been convicted of such a felony to participate in the business of insurance if that person has the consent of an insurance regulatory official.

Ms. Libby's criminal record shows that her conviction involves dishonesty or breach of trust and, therefore, she must seek this waiver to be employed in the business of insurance. Ms. Libby is seeking employment as a life and health insurance producer in the state of Maine. Ms. Libby was 18 years old at the time of her conviction and there is no evidence to indicate that Ms. Libby has engaged in any further criminal conduct. More than 20 years have passed since the event, and Ms. Libby has become a mother, volunteered in her community, and has held multiple positions in which she has handled employer funds and consumer personal information. Ms. Libby shows a sincere desire to use her insurance knowledge to help Maine consumers and has found employment with a resident agency that is committed to providing her with ongoing training and supervision.

Based on the information provided in Ms. Libby's Application for Written Consent to Engage in the Business of Insurance, I find that Ms. Libby has satisfactorily demonstrated that she is entitled to a waiver of the prohibition of employment in the insurance industry provided for in 18 U.S.C. § 1033.

Pursuant to 18 U.S.C. 1033(e)(2), Tessa A. Libby is hereby granted consent to engage in the business of insurance. This waiver is effective as of the date of this decision, March 27, 2020

Pursuant to 24-A M.R.S. § 229, any person aggrieved by this action may request a hearing within 30 days after such person knew or reasonably should have known of this action. Pursuant to 24-A M.R.S. § 213(3), this notice from the Superintendent to you shall be deemed to have been given when deposited in a mail depository of the United States Post Office.

PER THE ORDER OF THE SUPERINTENDENT

March 27, 2020


