

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

*In re:*

**JORGE ALBERTO PENA**  
**National Producer No. 5698839**  
  
**Docket No. INS-10-244**

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

**NOTICE TO JORGE ALBERTO PENA:**

The Maine Superintendent of Insurance hereby DENIES your January 2010 application to add an additional authority to your Maine nonresident insurance producer license. In addition, effective as of December 28, 2010, your Maine nonresident insurance producer license will be REVOKED without further formal proceedings unless you request a hearing as specified below. The reasons for denial are set forth below:

1. You failed to disclose your criminal history when you became licensed in Maine in 2008 and falsely responded "No" to the license application's question concerning whether you had ever been convicted of a crime, which constitutes grounds for revocation of your Maine nonresident insurance producer license and denial of your pending Maine license authority application under 24-A M.R.S. §1420-K(1)(C) for obtaining or attempting to obtain a license through misrepresentation or fraud.
2. The State of North Dakota revoked your producer license by order dated May 25, 2010 for failing to disclose your criminal history when you became licensed there in 2008. The North Dakota revocation constitutes grounds for revocation of your Maine nonresident insurance producer license and denial of your pending Maine license authority application under 24-A M.R.S. §1420-K(1)(I).
3. You failed to report to the Maine Superintendent of Insurance a penalty of \$1,000 imposed through a stipulation with the New York State Insurance Department dated July 19, 2010, as required by 24-A M.R.S. §1420-P(1), which also constitutes grounds for revocation of your Maine nonresident insurance producer license and denial of your pending Maine license authority application under 24-A M.R.S. §1420-K(1)(B), for violating insurance laws.

Therefore, based upon the above grounds, your license application for Maine insurance producer Life authority is **denied**, pursuant to 24-A M.R.S. §§1417 and 1420-K, subject to your right to request a hearing.

Further, based upon the above grounds, your existing Maine insurance producer license is **revoked** as of December 28, 2010 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 her designee regarding the revocation action, the denial action, or both actions. 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.**

**If you request a hearing, you will receive further communication regarding scheduling. The matters to be determined through the hearing process are whether there are valid grounds for revoking and/or denying your license, whether you committed one or more violations of Maine insurance laws, 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 December 28, 2010. If you do not file a written request for a hearing within 30 days from the time you know or reasonably should have known of the revocation of your license and the denial of your license application, you will lose your right to request a hearing on these matters, and your license revocation and license denial will be final in accordance with this 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 staff Attorney Arthur G. Hosford, Jr., Bureau of Insurance, #34 State House Station, Augusta, ME 04333-0034. If you wish to have a hearing on either or both matters, please specify for which matter(s) you are requesting a hearing. You may also reach Attorney Hosford by e-mail at [arthur.g.hosford.jr@maine.gov](mailto:arthur.g.hosford.jr@maine.gov) or telephone at 207 624-8429.

November 15, 2010

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MILA KOFMAN, Superintendent