

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

In re:

Peter T. Brichetto Jr.

National Producer No. 4648846

Docket No. INS-18-207

**CONSENT TO ENTRY OF
PROBATIONARY LICENSING ORDER**

The Maine Superintendent of Insurance (the Superintendent), acting in accordance with Maine Revised Statutes Title 24-A (the Maine Insurance Code) and specifically 24-A M.R.S. § 1417, has conducted an investigation into the resident insurance producer license application of Peter T. Brichetto (Applicant). This Order establishes a probationary license for Applicant who, as evidenced by the signature(s) subscribed on this Order, hereby consents to entry of this Order, agrees that it shall have the same preclusive effect as an order issued after hearing, and waives his right to a hearing and to judicial review.

FACTS

1. The Superintendent of Insurance is the official charged with administering and enforcing Maine's insurance laws and regulations, and the Bureau of Insurance is the administrative agency with such jurisdiction. The Superintendent has jurisdiction over this matter pursuant to 24-A M.R.S. §§ 12-A and 211.
2. On or about April 9, 2018, Applicant applied for a Maine Resident Insurance Producer License.
3. On the application, Applicant disclosed a 2014 felony conviction for conspiracy to distribute and possession with intent to distribute oxycodone (2:12-cr-00067-001). Applicant was sentenced on June 17, 2014, to imprisonment for a term of twenty-four (24) months followed by two (2) years of supervised release.
4. Applicant's supervised release commenced on March 21, 2016, and it was terminated ten (10) months early on May 10, 2017.

CONCLUSIONS OF LAW

5. Pursuant to 24-A M.R.S. § 1417, the Superintendent may deny, revoke, suspend, place on probation or limit the permissible activities under any license issued under Chapter 16 of the Maine Insurance Code if the superintendent finds that, as to the applicant, any of the causes exist that are listed in section 1420-K.
6. A felony conviction constitutes statutory grounds for denial of a license application under the Maine Insurance Code, at 24-A M.R.S. § 1420-K(1)(F), and 5 M.R.S. §§ 5301-5304.
7. Pursuant to 5 M.R.S. § 5302(1), a licensing agency may refuse to grant or take other disciplinary action against any occupational license only if the agency determines that applicant has not been sufficiently rehabilitated to warrant the public trust. The applicant bears the burden of proof that there exists sufficient rehabilitation to warrant the public trust.

8. The Superintendent finds that the Applicant has provided information to demonstrate rehabilitation to warrant the public trust.

ORDERS

9. Based on the foregoing and in accordance with 24-A M.R.S. § 1417, the Superintendent ORDERS that a Resident Insurance Producer License be issued to Applicant, subject to the following terms of probation:

- a. Applicant will comply with all applicable insurance statutes, rules, and regulations;
- b. Applicant will not act in any principal, supervisory, or managerial capacity in the insurance industry without first securing the approval of the Maine Bureau of Insurance;
- c. Within 10 (ten) days of learning of any investigations, proceedings, and customer complaints of any type, concerning the Applicant's activities in the insurance industry, Applicant will send written notification of the investigation, proceeding, or complaint to the Superintendent;
- d. Applicant shall respond to all inquiries of the Superintendent in accordance with 24-A M.R.S. § 220(2).

10. This Probationary Licensing Order is entered in lieu of the Superintendent denying Applicant's license application or otherwise restricting it under 24-A M.R.S. § 1417 or § 1420-K. Should Applicant fail to adhere to any of the above Orders, nothing in this agreement limits the ability of the Superintendent to revoke Applicant's producer license upon these grounds and to take any other available actions.

11. The term of this probation will be for one year from the date of entry of this Order, as evidenced by the Superintendent's signature. Upon the expiration of one year, the special probationary terms in Paragraph 9 will no longer apply.

12. This Probationary Licensing Order is enforceable by the Superintendent and/or by an action in Maine Superior Court pursuant to 24-A M.R.S. § 214.

13. This Probationary Licensing Order is a public record within the meaning of 1 M.R.S. § 402(3) and will be available for public inspection and copying as provided for by 1 M.R.S. § 408-A. This Probationary License Order will be reported to the Regulatory Information Retrieval System database at the National Association of Insurance Commissioners.

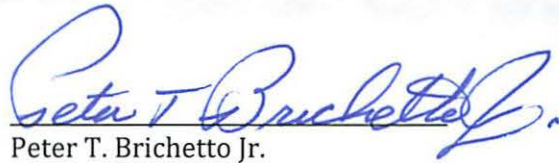
SO ORDERED: April 18th, 2018.


ERIC A. CIOPPA
Superintendent of Insurance

CONSENT TO ENTRY OF ORDER

I, Peter T. Brichetto Jr., state that I have read the foregoing Probationary Licensing Order and that I know and fully understand the contents hereof; that the factual allegations stated herein are true and correct; that I have been advised of my right to a hearing, and that I have been advised of my right to be represented by counsel in this matter; that I voluntarily consent to the entry of this Probationary Licensing Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this Probationary Licensing Order; that I understand that the Superintendent reserves the right to take further actions against me to enforce this Probationary Licensing Order or to take appropriate action upon discovery of other violations of the Insurance Code by me; and that I will fully comply with the terms and conditions stated herein.

I understand that this Order is a public document.



Peter T. Brichetto Jr.
NPN# 4648846

4-16-18

Date

