

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

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*In re:*

**Kyle D. Mullins**

**National Producer No. 18138327**

**Maine License No. PRR 276357**

**Docket No. INS-22-202**

**CONSENT AGREEMENT  
AND ORDER**

Kyle Mullins, formerly licensed as a Maine insurance producer, the Maine Superintendent of Insurance ("Superintendent") and the Office of the Maine Attorney General ("Attorney General") hereby enter into this Consent Agreement pursuant to 10 M.R.S. §8003(5)(B) to resolve, without an adjudicatory proceeding, violations of the Insurance Code for which the Superintendent may impose discipline pursuant to 24-A M.R.S. §§ 1417 and 1420-K.

**STATUTORY AUTHORITY**

1. Under 24-A M.R.S. §§ 12-A and 1420-K, the Superintendent may issue a warning, censure, or reprimand to a licensee, may suspend, revoke or refuse to renew the license of a licensee, may impose conditions of probation on the licensee, may levy a civil penalty, or may take any combination of such actions, for violating any insurance laws, or violating any rule, regulation, subpoena, or order of the Superintendent.
2. Under 24-A M.R.S. §1420-K(5), the Superintendent retains the authority to take any combination of actions outlined in paragraph one even if the person's license has been surrendered or has lapsed by operation of law.
3. Pursuant to 10 M.R.S. § 8003(5)(B), the Superintendent may resolve a matter by entering into a consent agreement with a licensee and with the agreement of the Attorney General.

**FACTS**

4. The Superintendent is the official charged with administering and enforcing Maine's insurance laws and regulations, and the Bureau of Insurance ("Bureau") 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.

5. Kyle Mullins was formerly licensed as a Maine insurance producer. His Maine producer license number was PRR 276357. His National Insurance Producer Registry number was 18138327.
6. Kyle Mullins' Maine resident insurance license was terminated on November 1, 2021.
7. When Kyle Mullins' producer license was active, he was subject to a continuing education requirement that had to be completed on or before his compliance date of May 31, 2021. Specifically, he was required to complete 24 credit hours of continuing education.
8. On June 10, 2021, Kyle Mullins was sent a letter from the Bureau that stated that he had not completed the continuing education requirement by the compliance date of May 31, 2021. That letter contained a civil penalty in the amount of \$250 that was issued against him.
9. On June 22, 2021, Kyle Mullins left a voicemail for the Bureau in which he stated that he had completed the continuing education requirement on the "first or second of June." On that same day, a member of the Bureau called him by telephone. The member of the Bureau explained that because Kyle Mullins' continuing education credit hours were completed after May 31, 2021, the \$250 civil penalty was rightfully issued and that he was required to pay it.
10. On August 2, 2021, the Bureau sent Kyle Mullins an Order of License Suspension and Order of License Termination Upon Failure to Comply. That Order generally stated that his license would be suspended on September 1, 2021, and then terminated on November 1, 2021 if he did not pay the aforementioned \$250 civil penalty and present evidence that he completed the 24 credit hours of continuing education that were outstanding at the end of May 31, 2021.
11. On November 1, 2021, the Bureau terminated Kyle Mullins' resident insurance producer license for failure to pay the \$250 fine.
12. On February 24, 2022, Kyle Mullins spoke with a member of the Bureau by telephone. He asked why his license had been terminated. After being informed of the reason why, he then represented that he had, in fact, completed his continuing education requirements on May 31, 2021. He was asked to submit proof that he had timely completed the continuing education requirement.
13. Later on February 24, 2022, Kyle Mullins sent an email to a member of the Bureau in which he wrote:

Thank you for speaking with me on the phone this morning. I appreciate you taking the time to understand and listen. I hope these get to you and will help take care of everything you need. As I stated I did complete the CE in time. Though, it was the last day I should not have let it get to that point and will not do so again.

Thank you again for your understanding! I look forward to hearing from you soon.

14. Attached to the February 24, 2022 email which was sent from Kyle Mullins to the Bureau were four attachments that were labelled “CE Cert Using Risk Man..pdf,” “CE Cert HO Understanding.pdf,” “CE Cert Ethics.pdf,” and “CE Cert HO Ins Val..pdf.”
15. The attachments contained letters and accompanying certificates of completion that appeared to have been sent to Kyle Mullins from WebCE, which is a continuing education provider. Each certificate listed the “[d]ate of Course” as “05/31/2021.”
16. On February 24, 2022, a member of the Bureau contacted WebCE by email. In that email, WebCE was asked to confirm the correct date of completion for each of the four classes that Kyle Mullins represented to have completed on May 31, 2021. A representative of WebCE replied that the continuing education courses were all purchased on June 1, 2021 at 7:35 AM.
17. A representative of WebCE also indicated the following classes were completed by Kyle Mullins at the following times on June 1, 2021:
  - Ethics: Performance with Integrity – 10:50 ET
  - Homeowners 2011 Policy: Understanding the Coverages – 12:27 ET
  - Homeowners Insurance Valuation – 11:35 ET
  - Using the Risk Management Approach for Personal Lines Accounts – 9:19 ET
18. A representative of WebCE also sent certificates of completion “as they were produced at the time of course completion” to the Bureau. Those certificates all listed a “[d]ate of course” of June 1, 2021.
19. On March 1, 2022, a member of Bureau staff sent an email to WebCE which asked whether Kyle Mullins was able to download the certificates of completion from the WebCe website, and if so, what “date of course” was listed on the certificates associated with Kyle Mullins’ account. A representative of WebCE responded that Kyle Mullins was able to download the certificates from the WebCE website and that the certificates published to his account all listed a “date of course” of June 1, 2021.
20. In response to another question as to whether it would be possible for Kyle Mullins to have been issued certificates of completion from WebCE that listed a date of course of May 31, 2021, a representative of WebCE stated, “[w]ith the way our system works, he could not have received a completion certificate from WebCE dated for 5/31/21.”

## **CONCLUSIONS OF LAW**

21. As described in Paragraphs 12 through 20 above, Kyle Mullins violated 24-A M.R.S. §1420-K(1)(C) by lying to Bureau staff about the date on which he completed the continuing education requirements
22. As described in Paragraphs 12 through 20 above, Kyle Mullins violated 24-A M.R.S. §1420-K(1)(C) by producing and sending Certificates of Completion that had been falsified to the Bureau.

## **COVENANTS**

23. Kyle Mullins admits to the Facts stated above and admits that those Facts constitute a basis for imposing discipline upon him due to his violation of 24-A M.R.S. §1420-K(1)(C).
24. Kyle Mullins warrants that he has now made full and accurate disclosure regarding this matter, and he agrees that any material inaccuracy would constitute a violation of this Consent Agreement.
25. Kyle Mullins agrees to the imposition of a civil penalty in the amount of five hundred dollars (\$500), which he will remit to the Maine Bureau of Insurance at the time of returning this signed agreement. Payment shall be by check or money order and made out to "Treasurer, State of Maine" and addressed to: Licensing Attorney, Maine Bureau of Insurance, 34 State House Station, Augusta, Maine 04333-0034.
26. Kyle Mullins also agrees to pay the two hundred fifty (\$250) civil penalty that was issued against him on November 1, 2021 within sixty (60) days of this Consent Agreement being signed by the Superintendent. Payment shall be by check or money order and made out to "Treasurer, State of Maine" and addressed to: Licensing Attorney, Maine Bureau of Insurance, 34 State House Station, Augusta, Maine 04333-0034.
27. Kyle Mullins agrees to the revocation of his insurance producer license. Following this revocation, Kyle Mullins may not engage in insurance producer activities as defined in the Maine Insurance Code, Title 24-A of the Maine Revised Statutes and may not participate in the business of an insurance agency or receive compensation to the extent prohibited by 24-A M.R.S. § 1412.
28. Nothing in this Consent Agreement shall affect the rights or interests of any person who is not a party to this Consent Agreement.
29. This Consent Agreement is not subject to appeal. Kyle Mullins waives any further hearings or appeals regarding the matters that are the subject of this Consent Agreement.

30. This Consent Agreement constitutes an Order of the Superintendent. A violation of its terms is enforceable by the Superintendent pursuant to 24-A M.R.S. §§ 12-A and 211.
31. This Consent Agreement is also enforceable by an action in Maine Superior Court pursuant to 24-A M.R.S. § 214, 10 M.R.S. § 8003(5)(B), and 14 M.R.S. § 3138.
32. The effective date of this Consent Agreement is the date of the Superintendent's signature.
33. This Consent Agreement may be modified only by a written agreement executed by all of the parties hereto. Any decision to modify, continue or terminate any provision of this Consent Agreement rests in the discretion of the Superintendent and the Attorney General.
34. This Consent Agreement is a public record subject to the provisions of the Maine Freedom of Access Act, 1 M.R.S. §§ 401 through 410, and will be available for public inspection and copying pursuant to 1 M.R.S. § 408-A.
35. This Consent Agreement is an adverse action and will be reported to the Regulatory Information Retrieval System ("RIRS") database at the National Association of Insurance Commissioners ("NAIC").
36. Kyle Mullins agrees that he has read this Consent Agreement, that he understands this Consent Agreement, that he has reviewed the statutory provisions set forth herein, that he has had an opportunity to consult counsel before signing this Consent Agreement, and that he enters into this Consent Agreement voluntarily and without coercion of any kind from any person.
37. In consideration of Kyle Mullins' execution of and compliance with the terms of this Consent Agreement, the Superintendent and Attorney General agree to forgo pursuing against Kyle Mullins any further disciplinary measures or other civil or administrative sanctions arising under the Maine Insurance Code concerning the specific, admitted conduct described in this Consent Agreement. However, should Kyle Mullins violate any provision of this Consent Agreement, he may be subject to any available sanction for the violation.

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**KYLE D. MULLINS**

Dated: 6/14, 2022

  
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Kyle D. Mullins


**THE OFFICE OF THE MAINE ATTORNEY GENERAL**

Dated: July 7, 2022

  
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Lisa Wilson  
Assistant Attorney General

**THE MAINE SUPERINTENDENT OF INSURANCE**

Dated: 7/15, 2022

  
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Timothy N. Schott  
Acting Superintendent of Insurance