

**Javier F. Beltran**  
**National Producer #7354646**

**STATE OF MAINE**  
**BUREAU OF INSURANCE**

**Docket No. INS 06-202**

**CONSENT AGREEMENT**

This document is a Consent Agreement authorized by Title 10 M.R.S.A. § 8003(5), entered into among Javier F. Beltran, a resident of Texas; the Maine Bureau of Insurance; and the Maine Department of the Attorney General. Its purpose is to resolve, in lieu of an adjudicatory proceeding, issues implicating Title 24-A M.R.S.A. §1417(1) and §1420-K(1)(A).

**STATEMENT OF 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.
2. Javier F. Beltran applied for a Maine Nonresident Producer License in December, 2005.

Failure to disclose administrative matter

3. Item 2 of the background questions on the application form electronically filed in connection with this application required a response to the following question:

“Have you or any business in which you are or were an owner, partner, officer or director ever been involved in an administrative proceeding regarding any professional or occupational license?”

4. Mr. Beltran answered “No” to Item 36 (2).

5. The application included Mr. Beltran's “Certification and Attestation” under the statement:

“I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.”

6. Staff of the Maine Bureau of Insurance discovered, through its routine application review process, that the State of Washington revoked Mr. Beltran's producer license in 2004.

7. The Supervisor of Licensing for the Maine Bureau of Insurance requested, by letter dated December 9, 2005, an explanation for Mr. Beltran's failure to disclose the Washington revocation, and relevant documentation.

8. Mr. Beltran's written reply, received January 4, 2006, included relevant documentation which indicated that the revocation was for failing to submit requested fingerprints on time, but otherwise provided no explanation for the nondisclosure other than an acknowledgement that the question on the application was not answered correctly.

9. Upon further review of Mr. Beltran's record, staff of the Bureau of Insurance have also discovered that the State of New York revoked Mr. Beltran's producer license in October, 2005, based upon failing to respond to the State's request for further information regarding the Washington matter.

10. Mr. Beltran did not disclose the New York revocation to the Bureau when he applied, and made no reference to it in his later response concerning the original inquiry relating to the nondisclosure of the Washington action.

## **CONCLUSIONS OF LAW**

11. The application form's disclosure questions specifically require disclosure of insurance administrative matters. Mr. Beltran provided incorrect, misleading, incomplete or materially untrue information in his Maine application for nonresident producer licensing by failing to disclose the 2004 Washington license revocation and 2005 New York license revocation when he applied, certified by his signature that the information was true and complete, and has not provided an adequate legal explanation for this failure to provide accurate information. Mr. Beltran also did not refer to the New York revocation in his further communication with the Bureau about failing to disclose the Washington revocation.

12. The provision of incorrect, misleading, incomplete or materially untrue information in the license application constitutes grounds for denial of the license application or other appropriate action, including the imposition of a civil penalty, under 24-A M.R.S.A. §1420-K(1)(A).

## **COVENANTS**

13. Javier F. Beltran, the Maine Bureau of Insurance, and the Maine Department of the Attorney General agree to the following.

14. This Consent Agreement is entered into in accordance with 10 M.R.S.A. § 8003(5)(B) and is not subject to review or appeal. This Consent Agreement is enforceable by an action in the Superior Court.

15. At the time of executing this Consent Agreement, Mr. Beltran will remit to the Maine Bureau of Insurance a civil penalty in the amount of \$500.00, payable to the Treasurer of the State of Maine.

16. Mr. Beltran will promptly report any matters to the Maine Bureau of Insurance during all times as he is licensed through the Bureau, to the extent such reporting is required under the

Maine Insurance Code, and will comply in all other respects with the provisions of the Maine Insurance Code, as applicable.

17. In consideration of the applicant's execution of this Consent Agreement, the State of Maine Bureau of Insurance shall issue the Nonresident Producer License for which he has applied.

18. Mr. Beltran understands and acknowledges that this Agreement will constitute a public record within the meaning of 1 MRSA § 402, and will be available for public inspection and copying as provided for by 1 MRSA § 408, and will be reported to the NAIC "RIRS" database.

19. In consideration of the applicant's execution of and compliance with the terms of this Consent Agreement, the Superintendent of Insurance, Bureau of Insurance, and Department of the Attorney General agree to forgo pursuing further disciplinary measures or other civil or administrative sanction for the actions described in this Consent Agreement, other than those agreed to herein. However, should Mr. Beltran violate this Consent Agreement, he may be subject to any available legal remedy for the violation, including without limitation the suspension or revocation of all licenses issued to the applicant under the Maine Insurance Code.

20. Nothing in this Agreement shall affect the rights or interests of any person who is not a party to this Agreement.

**Javier F. Beltran**

Dated: \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Javier F. Beltran

State of Texas, \_\_\_\_\_, ss

Subscribed and Sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
(printed name)

**THE MAINE BUREAU OF INSURANCE**

Dated: \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
By Alessandro A. Iuppa, Superintendent

**FOR THE DEPARTMENT OF THE ATTORNEY GENERAL**

Dated: \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
**Assistant Attorney General**

\_\_\_\_\_  
(printed name)