

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

In re:

Brett Sharaby

National Producer No. 8530776

Maine License No. PRN131702

Docket No. INS-14-247

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

NOTICE TO BRETT SHARABY:

Effective as of **December 12, 2014**, your Maine nonresident insurance producer license will be **REVOKED** without further formal proceedings unless you request a hearing as specified below.

The reasons for license revocation are as follows:

1. On February 6, 2013, you voluntarily surrendered your non-resident producer license in the Commonwealth of Virginia to avoid being investigated by the Insurance Department regarding your termination for cause from Assurant Health for allegedly instructing an applicant to misrepresent her medical information on her insurance application.
2. On June 3, 2013, the State of West Virginia revoked your non-resident producer license because you conspired with a potential insurance customer to conceal the fact that she had a pre-existing health condition that would disqualify her from purchasing a health insurance policy through Assurant Health/Time Life Insurance Company. The West Virginia revocation constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws, and § 1420-K(1)(I), for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.
3. On June 27, 2013, the State of Louisiana revoked your non-resident producer license for your failure to report the Virginia administrative action and to respond to the Department's inquiry. The Louisiana revocation constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws, and § 1420-K(1)(I), for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.

4. On August 8, 2013, you voluntarily surrendered your non-resident producer license in the State of North Carolina in lieu of a hearing regarding allegations of misconduct affecting your license.
5. On February 7, 2014, the State of South Dakota denied your application for licensure as a non-resident producer because you failed to disclose the administrative actions taken against you in North Carolina, Virginia, and Louisiana. The South Dakota denial constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws, and § 1420-K(1)(I), for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.
6. On February 12, 2014, the State of North Dakota denied your application for licensure as a non-resident producer due to the history surrounding your termination for cause from Assurant Health and the West Virginia administrative action. The North Dakota denial constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws, and § 1420-K(1)(I), for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.
7. On February 27, 2014, the State of California revoked your non-resident producer license for your failure to respond to the Commissioner's inquiries. The California revocation constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws, and § 1420-K(1)(I), for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.
8. On June 9, 2014, the State of Delaware revoked your non-resident producer license and imposed a \$500 penalty against you because you failed to report adverse action taken against your out of state license. The Delaware revocation and penalty constitute grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws, and § 1420-K(1)(I), for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.
9. You failed to timely report any of the eight administrative actions taken against you described hereinabove to the Maine Superintendent of Insurance as required by 24-A M.R.S. § 1420-P(1), which also constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws.
10. As described in Paragraph 2, you were found to have conspired with a consumer to conceal a pre-existing medical condition, which constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(H), for using "fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this State or elsewhere."

Therefore, based upon the above grounds, your Maine insurance producer license is **revoked** as of **December 12, 2014**, 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 his designee. 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 you committed one or more of the violations listed above, 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 12, 2014. If you do not file a written request for a hearing within 30 days from the time you knew or reasonably should have known of the revocation of your license through this Notice and Order, you will lose your right to request a hearing on this license revocation 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 Licensing Attorney Kristina M. Balbo, Bureau of Insurance, #34 State House Station, Augusta, Maine 04333-0034 (for US Postal Service deliveries) or 76 Northern Avenue, Gardiner, Maine 04345 (for private carrier deliveries, such as FedEx or UPS). You may also reach Attorney Balbo by e-mail at kristina.m.balbo@maine.gov or by telephone at (207) 624-8429.

November 6, 2014


Eric A. Cioppa
Superintendent of Insurance