

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

*In re:*

**Kristian Baso**

**National Producer No. 16309292**

**Maine License No. PRN208861**

**Docket No. INS-15-229**

**CONSENT AGREEMENT  
AND ORDER**

Kristian Baso, a licensed Maine non-resident insurance producer, the Maine Superintendent of Insurance ("the 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, a violation of the Insurance Code for which the Superintendent may impose discipline pursuant to 24-A M.R.S. §§ 1417 and 1420-K.

**PARTIES**

1. The Superintendent of Insurance 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.
2. Kristian Baso is a resident of Florida, and he is licensed as a resident producer in the state. He has been licensed in Maine as a non-resident insurance producer with life and health authority since October 4, 2012. His Maine producer license number is PRN208861. His National Producer Number ("NPN") is 16309292.

**STATUTORY AUTHORITY**

3. 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 in response to the licensee's violation of any insurance law, rule, regulation, subpoena, or order of the Superintendent. Pursuant to 10 M.R.S. § 8003(5)(B), the Superintendent may resolve a complaint by entering into a consent agreement with a licensee and with the agreement of the Attorney General.

## FACTS

4. On October 25, 1991, Mr. Baso pled guilty in New York to Attempted Robbery in the Second Degree, a felony. He was sentenced to five years' probation. The probation was favorably terminated on September 22, 1995.
5. On November 15, 2001, Mr. Baso pled guilty in Florida to three counts of Misdemeanor Battery. He was sentenced to six days in the county jail, with credit for 6 days served. He was ordered to pay restitution of \$2,810.
6. On or about October 4, 2012, Mr. Baso applied for a Maine non-resident producer license with life and health authority. Mr. Baso answered "No" to the following background question on the application form which he filed: "Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?"
7. The application included Mr. Baso's "Certification and Attestation" with the statement:

"I hereby certify that, under the 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."
8. The Bureau approved Mr. Baso's application and issued the producer license with life and health authority.
9. The Bureau was alerted to the fact that Mr. Baso has failed to disclose his convictions, when he posted to the NIPR Attachment Warehouse a stipulated agreement and order that he had entered into with the State of Alaska for failing to disclose his convictions when he had applied for a non-resident producer license in that state.
10. When questioned about his failure to disclose his convictions on his Maine application, Mr. Baso stated that he disclosed the convictions when he applied to his home state of Florida *and that he believed he did not need to report it in subsequent non-resident applications as other states normally followed the permitted licensing of the home state.*

## CONCLUSIONS OF LAW

11. The application forms' disclosure questions specifically ask whether the applicant has ever been convicted of a crime.
12. By failing to disclose the existence of his felony and misdemeanor convictions when he applied for licensure in 2012 and stating that the information was true and complete, Mr. Baso obtained his license based in part upon incorrect, misleading, incomplete, or materially untrue information in his Maine application for non-resident producer licensing.
13. Title 24-A M.R.S. § 1420-K(1)(A) provides that the Superintendent may place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license; may levy

a civil penalty in accordance with section 12-A; or may take any combination of such actions in response to the provision of incorrect, misleading, incomplete, or materially untrue information in the license application.

#### COVENANTS

14. Mr. Baso admits to the Facts as stated above and admits that those Facts constitute a basis for imposing discipline upon him due to his failure to report his felony and misdemeanor convictions at the time he applied for his Maine non-resident producer license in 2012.

15. Mr. Baso agrees to the imposition of a civil penalty in the amount of Three Hundred Dollars (\$300.00), which Mr. Baso will forthwith remit to the Maine Bureau of Insurance with this signed agreement. Payment shall be by check or money order made out to "Treasurer, State of Maine."

16. Mr. Baso will promptly report any matters to the Bureau of Insurance during all times that he is licensed by 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. Nothing in this Agreement shall affect the rights or interests of any person who is not a party to this Agreement.

18. In consideration of Mr. Baso's execution of and compliance with the terms of this Consent Agreement, the Superintendent and Attorney General agree to forgo pursuing against Mr. Baso any further disciplinary measures or other civil or administrative sanctions available under the Maine Insurance Code concerning the specific, admitted conduct described in this Consent Agreement. However, should Mr. Baso violate any provision of this Consent Agreement, he may be subject to any available remedy for the violation. Mr. Baso further acknowledges and agrees that, upon execution of this Consent Agreement, each of the Covenants herein shall constitute an order of the Superintendent.

19. This Consent Agreement is enforceable by an action in Maine Superior Court.

20. This Consent Agreement is not subject to appeal. Mr. Baso waives any further hearings or appeals regarding the matters that are the subject of this Consent Agreement.

21. This Consent Agreement may be modified only by a written agreement executed by all of the parties hereto.

22. This Consent Agreement is a public record subject to the provisions of the Maine Freedom of Access Law, 1 M.R.S. §§ 401 through 410, will be available for public inspection and copying as provided for by 1 M.R.S. § 408-A, and will be reported to the Regulatory Information Retrieval System database at the National Association of Insurance Commissioners.

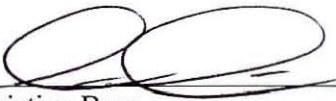
23. Mr. Baso agrees that he has read this Consent Agreement, that he understands this Consent Agreement, that he has reviewed the statutory provisions set forth herein, that he has

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.

**SIGNATURES**

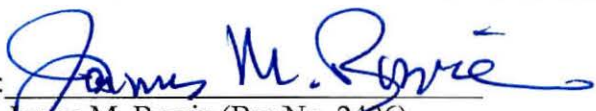
**KRISTIAN BASO**

Dated: 9/8/2015

By:   
Kristian Baso


**THE MAINE OFFICE OF THE ATTORNEY  
GENERAL**

Dated: September 16, 2015

By:   
James M. Bowie (Bar No. 2496)  
Assistant Attorney General

**THE MAINE SUPERINTENDENT OF  
INSURANCE**

Dated: September 17, 2015

By:   
Eric A. Cioppa  
Superintendent of Insurance