

STATE OF MAINE
BUREAU OF INSURANCE

IN RE:

Dominic Alessi
Maine Producer No. PRN150036
National Producer No. 10219029

CONSENT AGREEMENT

Docket No. INS-17-224

Dominic Alessi, a nonresident insurance producer applicant, 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.

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. 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

2. 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.

3. Dominic F. Alessi is a resident of Ohio and his National Producer Number ("NPN") number is 10219029.

4. Dominic F. Alessi was licensed as a non-resident producer in the State of Maine from February 7, 2008, until his license was revoked on June 25, 2014 (Maine Docket Number 14-217). The revocation was related to five administrative actions taken against Mr. Alessi's and his failure to report the same in violation of 24-A M.R.S. §§ 1420-K(1)(B), 1420-K(1)(I), and 1420-P.

5. On or around October 18, 2017, Mr. Alessi applied for a Maine non-resident producer license. Mr. Alessi answered "No" to the following background question on the electronic application form: "Have you ever been named or involved as a party in an administrative proceeding, including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration? Involved" means having a license censured, suspended, revoked, canceled, terminated."

6. The application included Mr. Alessi's "Certification and Attestation" with 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."

7. Since the time of Mr. Alessi's revocation, he has been the subject of several administrative actions which were required to be disclosed at the time of his application for licensure in Maine. These actions include a consent order with the State of Florida (effective date April 1, 2016), a voluntary forfeiture agreement with the state of Missouri (effective date July 8, 2016), a revocation from the Commonwealth of Virginia (effective date August 18, 2017), and a revocation from the State of Delaware (effective date August 29, 2017).

CONCLUSIONS OF LAW

8. By failing to disclose the existence of these administrative actions when he applied and certifying that the information was true and complete, Mr. Alessi attempted to obtain his license based in part upon incorrect, misleading, incomplete or materially untrue information in his Maine application. 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 or may levy a civil penalty in accordance with section 12-A, or take any combination of such actions, for providing incorrect, misleading, incomplete or materially untrue information in the license application.

COVENANTS

9. Mr. Alessi admits to the Facts as stated above and admits that these Facts constitute a basis for imposing discipline upon him.

10. Mr. Alessi agrees to the imposition of a civil penalty in the amount of Two Hundred Dollars (\$200.00). This civil penalty will be remitted to the Maine Bureau of Insurance at the time of returning this signed agreement. Payment shall be by check or money order made out to "Treasurer, State of Maine" and addressed to: Licensing Attorney, Maine Bureau of Insurance, 34 State House Station, Augusta, Maine 04333-0034.

11. Mr. Alessi 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.

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

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

14. This Consent Agreement is enforceable by an action in Maine Superior Court.
15. This Consent Agreement is not subject to appeal. Mr. Alessi waives any further hearings or appeals regarding the matters that are the subject of this Consent Agreement.
16. This Consent Agreement may be modified only by a written agreement executed by all of the parties hereto.
17. 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.
18. Mr. Alessi 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 understands his right to consult with counsel before signing this Consent Agreement, and that he enters into this Consent Agreement voluntarily and without coercion of any kind from any person. Mr. Alessi agrees that he will be ineligible for relicensing in the State of Maine if his license is revoked twice pursuant to 24-A M.R.S. 1418(2).

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DOMINIC ALESSI

Dated: 1-9-18

By: 
Dominic Alessi

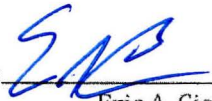
THE MAINE OFFICE OF THE ATTORNEY GENERAL

Dated: 3/6-18

By: 
Colin Hay
Assistant Attorney General

THE MAINE SUPERINTENDENT OF INSURANCE

Dated: 3/9-18

By: 
Eric A. Cioppa
Superintendent of Insurance