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2013 JUN -4 P 2: 03

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BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:) No. 12-0305
) No. 12-0326
THAI V. LE,) (Consolidated Cases)

ORDER TERMINATING
PROCEEDINGS

Licensee.)
)
_____)

TO: Thai V. Le
180 SW 310th Place
Federal Way, WA 98023

COPY TO: Mike Kreidler, Insurance Commissioner
James T. Odiorne, Chief Deputy Insurance Commissioner
Charles Brown, Acting Deputy Commissioner, Legal Affairs Division
Kate Reynolds, Staff Attorney, Legal Affairs Division
John F. Hamje, Deputy Commissioner, Consumer Protection Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

On November 14, 2012, the Insurance Commissioner ("OIC") issued an Order Revoking License, No. 12-0305, revoking the Washington resident insurance producer's license of Thai V. Le ("Licensee"). In the Order Revoking License, the OIC alleged that the Licensee violated RCW 48.17.530(1)(j) by submitting falsified Letters of Experience for three Allstate consumers while working as an insurance producer for Allstate Insurance Company. In response, the Licensee filed a Demand for Hearing with the

ORDER TERMINATING PROCEEDINGS

No. 12-0305

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undersigned on December 3, 2012. Shortly thereafter, the parties advised the undersigned that the parties were in the process of negotiating a settlement in this matter and therefore no prehearing conference was scheduled.

Subsequently, the parties settled this matter. The document reflecting the terms of the settlement is in the form of a Consent Order Levying a Fine ("Consent Order") and bears a different case number (Case No. 12-0326) than the case it settles (Case No. 12-0305). This Consent Order was executed by Thai V. Le and the OIC on December 19 and December 21, respectively, and was filed with the undersigned on December 21, 2012. Because this Consent Order is in settlement of Case No. 12-0305, it is reasonable that these two cases be consolidated. Further, because said Consent Order is in settlement of Case No. 12-0305, it is attached hereto and is by this reference incorporated herein.

As above, the Consent Order is in settlement of Case No. 12-0305, and was executed and filed prior to hearing in Case No. 12-0305. Therefore, for purposes of clarification, while this Consent Order includes statements identified as "*Findings of Fact*" and "*Conclusions of Law*," these are not Findings of Fact or Conclusions of Law which were made by an adjudicator after an adjudicative proceeding; rather, the statements contained in the attached Consent Order which are entitled "*Findings of Fact*" and "*Conclusions of Law*" are only statements agreed upon between the parties without involvement of a finder of fact or adjudicator.

Based upon the above activity,

IT IS HEREBY ORDERED that Case No. 12-0305 has been settled prior to hearing. The terms of said settlement are reflected in the Consent Order Levying a Fine, No. 12-0326, attached hereto, which was executed by Thai V. Le and the OIC on December 19, 2012 and December 21, 2012 respectively and filed with the undersigned on December 21, 2012. Although this Consent Order is in settlement of Case No. 12-0305, it bears a different case number (Case No. 12-0326) and for this reason these two case numbers are hereby consolidated. Because Consent Order No. 12-0326 is in settlement of Docket No. 12-0305, for purposes of clarification, while the Consent Order includes statements identified as "*Findings of Fact*" and "*Conclusions of Law*," these are not Findings of Fact or Conclusions of Law which were made by an adjudicator after an adjudicative proceeding; rather, the statements contained in the attached Consent Order entitled "*Findings of Fact*" and "*Conclusions of Law*" are only statements agreed upon between the parties without involvement of a finder of fact or adjudicator.

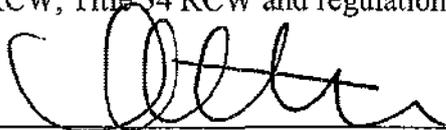
ORDER TERMINATING PROCEEDINGS

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IT IS FURTHER ORDERED that, by agreement of the parties, Case No. 12-0305 is hereby dismissed with prejudice.

Entered this 4th day of June, 2013, at Tumwater, Washington, pursuant to Title 48 RCW, Title 34 RCW and regulations pursuant thereto.



PATRICIA D. PETERSEN
Chief Presiding Officer

Declaration of Mailing

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery through normal office mailing custom, a true copy of this document to the following people at their addresses listed above: Thai V. Le, Mike Kreidler, James T. Odiorne, John F. Hamje, Charles Brown, Esq. and Kate Reynolds, Esq..

DATED this 5th day of June, 2013.


KELLY A. CAIRNS



OFFICE OF
INSURANCE COMMISSIONER

In The Matter of

THAI V. LE,

Licensee.

ORDER NO. 12-0326

CONSENT ORDER LEVYING A FINE

The Insurance Commissioner of the State of Washington, pursuant to the authority set forth in RCW 48.02.080, RCW 48.17.530 and RCW 48.17.560, and having reviewed the official records and files of the Office of the Insurance Commissioner (OIC), makes the following:

FINDINGS OF FACT

1. Thai V. Le (Mr. Le) holds a Washington resident insurance producer license, WAOIC No. 259714, issued June of 2006.
2. In September of 2011, while employed as an insurance producer for Allstate Insurance Company (Allstate), Mr. Le submitted falsified Letters of Experience for three Allstate consumers.
3. The Letter of Experience dated September 5, 2011 for Ms. P was purportedly from American Commerce Insurance Company (American Commerce). According to American Commerce, she never had a policy with the company and the policy number on the letter was invalid.
4. The Letter of Experience dated September 7, 2011 for Mr. C indicated a policy with Farmers Insurance Company from July 1, 2006 to January 1, 2012 with no lapse in coverage; however, the policy had lapsed August 18, 2010. The Letter of Experience also failed to include information as to Mr. C's policy with Progressive from August 10, 2010 through August 10, 2011.
5. The Letter of Experience dated September 14, 2011 for Mr. S was also purportedly from American Commerce. According to Mr. S as well as American Commerce, he never had a policy with the company and the policy number on the letter was invalid.

CONCLUSIONS OF LAW

1. By submitting falsified Letters of Experience from insurance companies, Mr. Le violated RCW 48.17.530(1)(j).

2. By submitting falsified documents, Mr. Le used fraudulent, coercive, or dishonest practices, or demonstrated incompetence or untrustworthiness, thereby violating RCW 48.17.530(1)(h).

CONSENT TO ORDER

1. Mr. Le, acknowledging his duty to comply fully with the applicable laws of the State of Washington, consents to the following in consideration of his desire to resolve this matter without further administrative or judicial proceedings. The Insurance Commissioner consents to settle the matter in consideration of Mr. Le's payment of a fine and such terms and conditions as are set forth below.
2. Mr. Le consents to the entry of this Order, waives any and all hearing rights, and further administrative or judicial challenges to this Consent Order.
3. By agreement of the parties, Mr. Le will agree to pay a fine in the amount of \$3,000 within thirty days of the entry of this Order.
4. Mr. Le understands and agrees that any future failure to comply with the statutes and regulations that are the subject of this Order constitutes grounds for further penalties, which may be imposed in direct response to further violation.
5. Mr. Le's failure to adhere to these conditions shall constitute grounds for revocation of Mr. Le's Washington resident insurance producer license.

EXECUTED this 19 day of December, 2012.

THAI V. LE



ORDER

Pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner hereby Orders as follows:

1. Thai V. Le shall pay a fine in the amount of \$3,000 within thirty days of the entry of this Order.
2. Mr. Le's failure to pay the fine within the time limit set forth above and abide by the conditions of this Order shall result in the revocation of his resident insurance

CONSENT ORDER LEVYING A FINE

Order No. 12-0326

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producer license and in the recovery of the fine through a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

ENTERED AT TUMWATER, WASHINGTON, this 21st day of December 2012.

MIKE KREIDLER
Insurance Commissioner

By: K. Reynolds
Kate Reynolds
OIC Staff Attorney
Legal Affairs Division