Government of the District of Columbia
Department of Insurance, Securities and Banking
810 First St., N.E., Suite 701
Washington, D.C. 20002

In the Matter of		
	)	
	)	
District of Columbia Department of Insurance,	)	
Securities and Banking	)	
Petitioner	)	
	)	**IB-SC-03-09**
v.	)	
	)	
Kieu M. Tran	)	
Respondent	)	

FINAL DEFAULT DECISION AND ORDER OF REVOCATION

The Hearing Officer enters a Final Default Decision and Order of Revocation against Respondent, Kieu M. Tran based upon the following facts:

FINAL FINDINGS OF FACT

1. Respondent Kieu M. Tran was licensed as an individual non-resident insurance producer authorized to transact insurance business in the District of Columbia.

2. Respondent's individual non-resident insurance producer license number is 2819806.

3. A Notice to Show Cause was initially sent to Respondent on April 20, 2009 informing her of the charges against her, however the matter had to be rescheduled and a rescheduled notice was sent to Respondent by the Hearing Officer informing her of the rescheduled date of June 24, 2009.

4. Charge I of the Department's Notice To Show Cause alleged that Respondent failed to report to the Commissioner administrative actions taken against her insurance producer license in other jurisdictions within thirty (30) days of the final

disposition of the matter in violation of D.C. Official Code § 31-1131.17 (a)(2001) for which the Commissioner may revoke her insurance producer license pursuant to D.C. Official Code § 31-1131.12 (a)(2)(2001).

5. The Department of Insurance, Securities and Banking (DISB) sent on April 20, 2009 via certified mail signed by Rhonda Blackshear, Assistant Attorney General, a Notice To Show Cause IB-SC-03-09, to Respondent Kieu M. Tran, 99 Bedford Street, Homesite Insurance Company, Boston, Mass. 02111. When the matter was continued a notice of rescheduled hearing was sent to Respondent by the Hearing Officer, rescheduling the matter to June 24, 2009. The Respondent received the notification of the rescheduled date, because after receiving it she called DISB. Attorney Blackshear represented at the hearing that she spoke to Respondent on June 8, 2009, at which time the Respondent told Ms. Blackshear that she was not practicing insurance and that she thought the company had surrendered her license. The Respondent told Ms. Blackshear she would surrender it. On June 16, 2009 Ms. Blackshear called Respondent again and left a message. As of the hearing date (June 24, 2009), the Respondent had not returned the call or surrendered her insurance license.

6. The Notice To Show Cause sent to Respondent, directed her to appear before the Department of Insurance, Securities and Banking, Suite 701, 810 First Street, NE in Washington, D.C., on May 19, 2009. The Notice of Rescheduled Hearing informed Respondent that her hearing was rescheduled to June 24, 2009.

7. After notice was duly given, a public hearing was held on June 24, 2009 for the purpose of determining whether the license of Respondent should be revoked.

9. The Respondent failed to appear at the scheduled Show Cause Hearing on June 24, 2009 or have a representative appear on his behalf.

10. The Government's (Petitioner's) counsel, Rhonda Blackshear (on behalf of Charlotte Parker) introduced into the record the following exhibit:

    1. **Government's Exhibit 1**

       DISB Interoffice Referral Memorandum regarding Respondent.

11. Ms. Blackshear, the Petitioner's counsel, proffered at the hearing that the Respondent entered into a settlement agreement with the State of Massachusetts, and was fined $600.00; and did not inform the District of Columbia of this agreement that was signed on August 22, 2008. Petitioner's counsel also proffered that the Respondent' license was revoked in the State of Virginia for failing to disclose state actions. Virginia's order of revocation was signed on April 27, 2007. The Respondent did not inform the District of Columbia of this order of revocation.

FINAL CONCLUSIONS OF LAW

The evidence and testimony presented by Petitioner's counsel, Rhonda Blackshear reflected that due notice of the initial hearing date and charges against Respondent was sent to her at her last address of record; that the Respondent in fact received notification of the rescheduled hearing date as evidenced by her telephone call to DISB and conversation with Petitioner's counsel indicating that she would surrender her insurance license; and that Respondent did not respond to the later calls of Petitioner's counsel and did not surrender her insurance license; and that Respondent failed to appear at her scheduled hearing. Furthermore, the record also reflected that Respondent failed to report to the Commissioner administrative action taken against his insurance producer license in other jurisdictions within thirty (30) days of the final disposition of the matter in violation of D.C. Official Code § 31-1131.17 (a)(2001) for which the Commissioner may revoke Respondent's insurance producer license pursuant to D.C. Official Code § 31-1131.12 (a)(2)(2001).

FINAL ORDER

Based upon the record and the foregoing facts, **IT IS HEREBY ORDERED** that a **DEFAULT DECISION IS ENTERED** against the Respondent for failing to appear. **IT IS FURTHER ORDERED THAT** Respondent's license No. 2819806 is **REVOKED.**

10 29 2009

Gennet Purcell — Date
Acting Commissioner
Department of Insurance, Securities and Banking

CERTIFICATION

I hereby certify that a copy of the foregoing Final Default Decision and Order of Revocation was sent first-class mail, postage prepaid, to Respondent, Kieu M. Tran, 99 Bedford Street, Homesite Insurance Company, Boston, Massachusetts 02111 on this 30th day of October 2009.

Michelle Mathis 10/30/09

Michelle Mathis Date
Paralegal Specialist