

MARYLAND INSURANCE
ADMINISTRATION

v.

JAMILA BOATSWAIN

Respondent

* BEFORE THE
* MARYLAND INSURANCE
* COMMISSIONER
* CASE NO.: MIA-2018-07-008
* Fraud File No.: R-2018-2714A



* * * * *

CONSENT ORDER

The Maryland Insurance Commissioner (“Commissioner”) and Jamila Boatswain (“Boatswain” or “Respondent”), enter into this Consent Order pursuant to §§ 2-108, 2-204 and 2-405 of the Insurance Article, Md. Code Ann. (2017 Repl. Vol. & Supp.) (“Insurance Article”), to resolve the matter before the Maryland Insurance Administration (“Administration”).

I. Explanatory Statement & Findings of Fact

1. The Administration issued an Order against Respondent on July 5, 2018. In the Order, Respondent was found to have violated § 27-403 of the Insurance Article. An administrative penalty in the amount of \$2,000.00 was assessed.
2. The facts and violations stated in the Order are incorporated herein by reference.
3. Respondent timely requested a hearing to contest the findings in the Order.
4. The parties agree to this Consent Order to avoid litigation and to fully and finally resolve all issues before the Administration. It is expressly understood and agreed that acceptance of the Administrative Penalty and Restitution amount provided below (see Section A and C) is in full satisfaction and accord of and in compromise of the aforesaid claim and that payment thereof is not an admission of liability but made for

the purpose of terminating any dispute between the Commissioner, the Respondent and the Administration.

Order

WHEREFORE, for the reasons set forth above, it is this 21st day of November 2018, **ORDERED** by the Maryland Insurance Commissioner and consented to by Respondent that:

A. Jamila Boatswain shall pay an administrative penalty in the amount of two thousand dollars (\$2,000.00) as follows:

i. \$666.67 paid by Respondent to the MIA immediately upon accepting the terms of the executed Consent Order;

ii. \$666.67 due by December 1, 2018; and

iii. \$666.67 due by January 2, 2019.

B. Failure to pay as outlined in paragraph A, above constitutes a default. Notice of Default is hereby waived by Respondent. Respondent agrees to pay the balance within 30 days of default, the balance will be sent to the Central Collections Unit of the Department of Budget and Management for collection.

C. Respondent shall pay restitution to Travelers Home and Marine Insurance Company until the balance of \$1,086.50 is paid in full.

D. The executed Consent Order, initial payment, and notice of payment of restitution shall be sent to the attention of: Maryland Insurance Administration, Steve Wright, Associate Commissioner, Fraud Division, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202 and shall identify the case by number (MIA-2018-07-008) and name (Jamila Boatswain).

E. Respondent shall withdraw her request for a hearing.

F. The parties acknowledge that this Order contains the entire agreement between the parties relating to the administrative actions addressed herein. This Consent Order supersedes only the penalty portion of the Order dated July 5, 2018, and any prior agreements or negotiations, whether oral or written, except as specifically incorporated herein. No time frames set forth in this Order may be amended or modified without subsequent written agreement of the parties.

G. The parties have had the opportunity to have this Order reviewed by legal counsel of its choosing, and are aware of the Order. Respondent waives any and all rights to any hearing or judicial review of this Order to which it would otherwise be entitled under the Insurance Article with respect to any of the determinations made or actions ordered by this Order.

H. For the purposes of the Administration and for any subsequent administrative or civil proceedings concerning Respondent, whether related or unrelated to the foregoing paragraphs, and with regard to requests for information about the Respondent made under the Maryland Public Information Act, or properly made by governmental agencies, this by governmental agencies, this Order will be kept and maintained in the regular course of business by the Administration. For the purposes of the business of the Administration, the records and publications of the Administration will reflect the July 5, 2018, Order as well as this Consent Order.

I. Nothing herein shall be deemed a waiver of the Commissioner's right to proceed in an administrative action or civil action to enforce the terms of this Order. Failure to fully comply with the terms of this Order may subject Respondent to further legal and/or administrative action.

