TN-0031979
NPN-5929859

STATE OF TENNESSEE
BEFORE THE COMMISSIONER OF COMMERCE AND INSURANCE

IN THE MATTER OF:	)	
	)	
ROBERT JONATHAN BLAZER	)	**TID Order No. 13-107**
	)	
	)	

CONSENT ORDER

The Insurance Division ("Division"), of the Tennessee Department of Commerce and Insurance ("Department"), by and through counsel, and Robert Jonathan Blazer ("Blazer") hereby stipulate and agree, subject to the approval of the Commissioner of the Tennessee Department of Commerce and Insurance ("Commissioner"), as follows:

GENERAL STIPULATIONS

1. It is expressly understood that this Consent Order is subject to the Commissioner's acceptance and has no force and effect until such acceptance is evidenced by the entry of the Commissioner.

2. This Consent Order is executed by Blazer for the purpose of avoiding further administrative action with respect to this cause. Furthermore, should this Consent Order not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Consent

Order by the Commissioner shall not unfairly or illegally prejudice the Commissioner from further participation or resolution of these proceedings.

3. Blazer fully understands that this Consent Order will in no way preclude additional proceedings by the Commissioner for acts and/or omissions not specifically addressed in this Consent Order or for facts and/or omissions that do not arise from the facts or transactions herein addressed.

4. Blazer fully understands that this Consent Order will in no way preclude proceedings by state government representatives, other than the Commissioner, for violations of Title 56 of the Tenn. Code Ann. addressed specifically in this Consent Order, against Blazer for violations of law under statutes, rules, or regulations of the State of Tennessee, which may arise out of the facts, acts, or omissions contained in the Findings of Fact and Conclusions of Law stated herein, or which arise as a result of the execution of this Consent Order by Blazer.

5. Blazer expressly waives all further procedural steps, and expressly waives rights to seek judicial review of or to otherwise challenge or contest the validity of this Consent Order, the stipulations and imposition of discipline contained herein, and the consideration and entry of said Consent Order by the Commissioner.

AUTHORITY AND JURISDICTION

6. The Commissioner has jurisdiction over this matter pursuant to the Tennessee Insurance Law ("Law"), Title 56 of the Tenn. Code Ann., specifically Tenn. Code Ann. §§ 56-1-101, 56-1-202, 56-2-305 and 56-6-112. The Law places on the Commissioner the responsibility of the administration of its provisions.

PARTIES

7. The Division is the lawful agent through which the Commissioner administers the Law and is authorized to bring this action for the protection of the public.

8. Blazer is a citizen and resident of the State of Tennessee whose address of record is: 825 Restover Court, Nashville, Tennessee 37214. The Division granted Blazer insurance producer license number 0031979 on August 1, 1979.

FINDINGS OF FACT

9. On or about October 3, 2012, the State Department of Labor and Workforce Development notified the Insurance Fraud Division that they suspected Blazer to have misappropriated clients' premiums and issued counterfeit certificates of insurance for multiple workers' compensation policies. Subsequently, the Division initiated an investigation on Blazer.

10. On or about July 10, 2013, Blazer met with the Division and admitted to the misappropriation of an estimated Fifteen Thousand Dollars ($15,000) from two (2) of his clients, to whom he also issued fraudulent policies misrepresenting the existence of such policies. Blazer admits that his misappropriation was due to increasing bills, family needs, and a declining income.

CONCLUSIONS OF LAW

11. Tenn. Code Ann. § 56-6-112(a) provides that "[t]he commissioner may place on probation, suspend, revoke, or refuse to issue or renew a license issued under this part and/or may levy a civil penalty in accordance with this section or take any combination of those actions, for any one (1) or more of the following causes:

(4) Improperly withholding, misappropriating or converting any moneys or properties received in the course of doing insurance business;

(5) Intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance;

(8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere;"

12. Based upon the Findings of Fact stated above and the Conclusions of Law contained herein, the Commissioner considers the actions of Blazer to be in violation of Tenn. Code Ann. §§ 56-6-112(a)(4), (5), and (8), for the misappropriation of Fifteen Thousand Dollars ($15,000) in premiums and the issuance of fraudulent policies representing coverage that did not, in fact, exist.

13. Blazer admits the Findings of Fact stated in paragraphs 9 through 10, above, and understands that such findings subject him to sanctions specified in Tenn. Code Ann. § 56-6-112(a) and (g). In order to avoid any further expenses or costs associated with litigating this matter in any administrative or judicial proceedings, Blazer hereby acknowledges the Commissioner's authority to administer the statutes cited herein, concedes that the Commissioner's interpretation of the statutes cited in the Conclusions of Law are reasonable and enforceable, and agrees to the entry of this Consent Order including each of the sanctions ordered by the Commissioner.

ORDER

NOW, THEREFORE, on the basis of the foregoing, and Blazer's waiver of the right to a hearing and appeal under the Law and the Uniform Administrative Procedures Act, Tenn. Code Ann. §§ 4-5-101 to 4-5-404 (2011), and Blazer's admission of jurisdiction of the Commissioner,

the Commissioner finds that Blazer, for the purpose of settling this matter admits to the Conclusions of Law, agrees to the entry of this Order, and agrees that this Order is in the public interest, necessary for the protection of consumers and consistent with the purposes fairly intended by the policy and provisions of the Law.

IT IS ORDERED, pursuant to Tenn. Code Ann. §§ 56-6-112(a) and (g), that:

1. Insurance producer license, number 0031979, issued to Blazer, is hereby **REVOKED,** beginning immediately upon final execution of this agreement.

IT IS FURTHER ORDERED, pursuant to Tenn. Code Ann. § 56-6-112(g), that Blazer:

1. Pay **CIVIL PENALTIES** in the amount of One Thousand Five Hundred Dollars ($1,500) within six (6) months of execution of this Order. Payment shall be mailed to:

State of Tennessee
Department of Commerce and Insurance
Legal Office, Attn: Lauren Dantche
Davy Crockett Tower
500 James Robertson Parkway
Nashville, Tennessee 37243

2. Pay **RESTITUTION** in the amount of Seven Hundred Sixty-Seven Dollars ($767) to the victims: Jorge Alberto Elias Dominguez and/or Karen Alvarado, of Siding & Brick Cleaning, within thirty (30) days of the date this Order is executed by the Commissioner; payment shall be mailed to the victims preferred address.

3. In addition, it is further **ORDERED** that all persons in any way assisting, aiding, or helping Blazer in any of the aforementioned violations of Tenn. Code Ann. § 56-6-112, shall **CEASE AND DESIST** from all such activities in violation of the Law.

IT IS ORDERED that this Consent Order represents the complete and final resolution of, and discharge with respect to all administrative and civil, claims, demands, actions and causes of action by the Commissioner against Blazer for violations of Tenn. Code Ann. § 56-6-112 alleged by the Division to have occurred with respect to the transactions involving the above referenced victims and the facts contained herein.

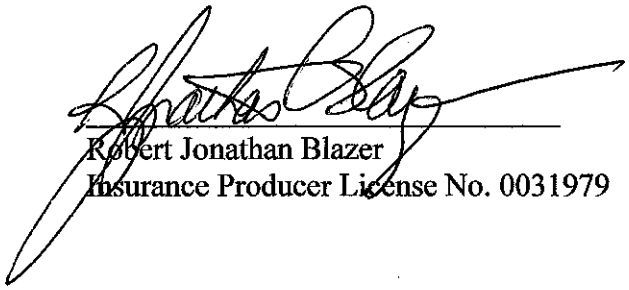
This Consent Order is in the public interest and in the best interest of the parties, and represents a compromise and settlement of the controversy between the parties, and is for settlement purposes only. By the signatures affixed below, Blazer affirmatively states he has freely agreed to the entry of this Consent Order, that he waives the right to a hearing on the matters underlying this Consent Order, and to a review of the Findings of Fact and Conclusions of Law contained herein, and that no threats or promises of any kind have been made to him by the Commissioner, the Division, or any agent or representative thereof. The parties, by signing this Consent Order, affirmatively state their agreement to be bound by the terms of this Consent Order and aver that no promises or offers relating to the circumstances described herein, other than the terms of the settlement as set forth in this Consent Order, are binding upon them.

ENTERED this 3rd day of February, 2014.

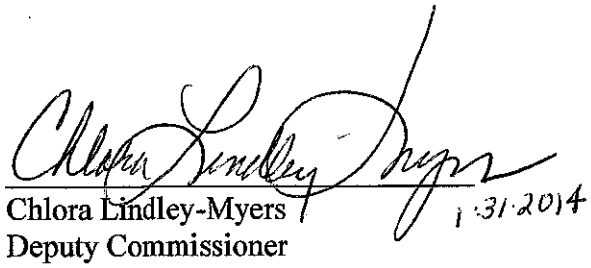
Julie Mix McPeak

Julie Mix McPeak, Commissioner
Department of Commerce and Insurance

APPROVED FOR ENTRY:



Robert Jonathan Blazer
Insurance Producer License No. 0031979



Chlora Lindley-Myers 1-31-2014
Deputy Commissioner
Department of Commerce and Insurance

Respectfully Submitted,

Nancy S. Jones,
Deputy Commissioner and General Counsel

By: Lauren V. Dantche

Lauren V. Dantche, BPR # 030126
Assistant General Counsel for Insurance
500 James Robertson Parkway
Davy Crockett Tower
Nashville, Tennessee 37243
(615) 253-3259
lauren.dantche@tn.gov