

**BEFORE THE DEPARTMENT OF INSURANCE
STATE OF MISSISSIPPI**

COMMISSIONER OF INSURANCE

PETITIONER

V.

CAUSE NO. 18-7296

**JAMES MICHAEL BRAND and
BRAND INSURANCE SERVICES d/b/a
GULF COAST INSURANCE AGENCY**

RESPONDENTS

CONSENT ORDER

The Commissioner of Insurance for the State of Mississippi (hereinafter “Commissioner”), pursuant to the authority granted to him, hereby enters into this Consent Order with the Respondent, James Michael Brand, individually and as the owner/operator of Brand Insurance Services d/b/a/ Gulf Coast Insurance, regarding the above-captioned matter taken against Respondents by the Mississippi Department of Insurance (hereinafter “Department”). The parties agree to the following agreed terms.

FINDINGS OF FACT

AFTER CONSIDERING the evidence in this matter, the parties agree to the following Findings of Fact:

1. Respondent is a Mississippi resident insurance producer and holds Mississippi Privilege License No. 104645.
2. The Respondent is also the owner/operator of Brand Insurance Services d/b/a/ Gulf Coast Insurance, Business Entity license No. 15013181.
3. The Department sent a Cease and Desist Order, (C&D) to Respondent, on June 7, 2018, enjoining the Respondent from conducting the business of insurance in Mississippi pending a final determination by the Commissioner.
4. The C&D was issued based on the following violations alleged against Respondent:

- a. Miss. Code Ann. Section 83-17-71(1)(d), that such insurance producer has improperly withheld, misappropriated or converted monies or properties received in the course of doing insurance business; and,
- b. Miss. Code Ann. Section 83-17-71(1)(h), that such insurance producer has used fraudulent, coercive or dishonest practices or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business.

5. Respondent was personally served with the Cease and Desist Order on June 7, 2018. The Cease and Desist Order was later amended on June 15, 2018, for the limited purpose of allowing Respondent to insureds' premium payments and forward same to the respective insurance companies. Respondent was personally served with the Amended Cease and Desist Order on June 15, 2018.

CONSENT AND AGREEMENT

IN LIGHT OF THE AFOREMENTIONED Findings of Fact, the Respondent, James Michael Brand, agrees to the following:

1. That James Michael Brand, individually and as owner/operator of Brand Insurance Services d/b/a/ Gulf Coast Insurance, has been fully advised of charges of alleged violations of Miss. Code Ann. §83-17-71, and the action taken against him pursuant to Miss. Code Ann. §83-1-151.

2. Respondent understands that he may request a hearing before the Commissioner of Insurance of the State of Mississippi to determine the reasonableness of the Commissioner's action.

3. Respondent agrees to waive the right to a hearing.

4. Respondent consents to the voluntary surrender of his insurance producer license, Mississippi Privilege License No. 104645.

5. Respondent agrees to pay restitution to any person or entity that was harmed due to his improperly withholding, misappropriating or converting monies or properties received by Respondent in the course of doing insurance business.

ORDER

IT IS HEREBY ORDERED, upon agreement of the Parties and approval by the Commissioner, the following:


1. The Respondent's resident insurance producer license, Mississippi Privilege License No. 104645, is hereby voluntarily **SURRENDERED**.
2. The Respondent is hereby **ORDERED** to pay restitution to any person or entity that was harmed due to his improperly withholding, misappropriating or converting monies or properties received by Respondent in the course of doing insurance business.


SO AGREED AND ORDERED this the 22nd day of June, 2018.


MIKE CHANEY
COMMISSIONER OF INSURANCE
STATE OF MISSISSIPPI

AGREED:

AGREED:


Kimberly Causey
Special Assistant Attorney General
Counsel for Petitioner


James Michael Brand
Respondent

WITNESS:

