

STATE OF CONNECTICUT

INSURANCE DEPARTMENT

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IN THE MATTER OF :
:
SEAN M. MAHER : Docket No. FC 19-76
:
Respondent :
-----X

ORDER FOR DEFAULT JUDGMENT AND ORDER OF REVOCATION

The Insurance Commissioner, hereinafter referred to as Commissioner, is charged with the administration and enforcement of the insurance laws and regulations that pertain to licensees of the Insurance Department pursuant to Connecticut General Statutes Section 38a-8.

Section 38a-774 of the Connecticut General Statutes provides in part that:

The commissioner, after reasonable notice to and hearing of any holder of a license issued by the commissioner, may suspend or revoke the license for cause shown. In addition to or in lieu of suspension or revocation, the commissioner may impose a fine not to exceed five thousand dollars.

The Commissioner has conducted an investigation of the activities of the above captioned Respondent and as a result of that investigation issued a Complaint dated September 16, 2019, a copy of which is attached hereto as Exhibit A, alleging cause to suspend or revoke licenses issued by the Commissioner, or in addition to or in lieu thereof impose a fine.

Section 38a-8-61 of the Regulations of Connecticut State Agencies provides that:

The respondent in any enforcement proceeding shall file an answer with the Commissioner within twenty (20) days of service of the notice of hearing specifically admitting or denying the allegations or charges set out in the notice. Factual allegations not specifically denied shall be deemed to be admitted.

Section 38a-8-62 of the Regulations of Connecticut State Agencies provides that:

In any proceeding when the Respondent fails to file an answer as required by Section 38a-8-61 of these Regulations or fails to appear at a duly noticed hearing,

the Commissioner may, in his discretion, note such failure upon the record and render a decision by default.

IN ACCORDANCE WITH THE FOREGOING:

I FIND, in light of the foregoing, that a Complaint and Notice of Hearing was sent on or about September 17, 2019 to the Respondent, by regular first-class mail and by certified mail, Number 9214 8901 9403 8390 2911 96, with the proper postage at the following address:

Sean Maher
[REDACTED]

Evidence of mailing of Certified Mail, Article Number 9214 8901 9403 8390 2911 96, sent to Respondent at [REDACTED] on September 17, 2019 is attached as Exhibit B. Certified Mail, Article Numbers 9214 8901 9403 8390 2911 96 was delivered to the Respondent's address on September 25, 2019, see Exhibit C. The Complaint and Notice of Hearing sent by first-class mail to the Respondent was not returned to the Department.

As of this date, the Department has not received any answer to the Complaint from the Respondent.

The address stated above is the address filed with this Department by the Respondent, who is required by law to report any change of address within thirty days. From the date of this order, the Complaint and Notice of Hearing was mailed to the Respondent 21 days ago. Accordingly, I find that the Respondent received service and reasonable notice of the Complaint in accordance with the Regulations of Connecticut State Agencies, Sections 38a-8-18 and 38a-8-59 et seq.

I FURTHER FIND that the Respondent did not file an answer within the time period required in accordance with the Regulations of Connecticut State Agencies, Section 38a-8-61, nor did he appear at the scheduled hearing. Accordingly, all of the allegations as set forth in the Complaint, attached hereto, are hereby deemed admitted.

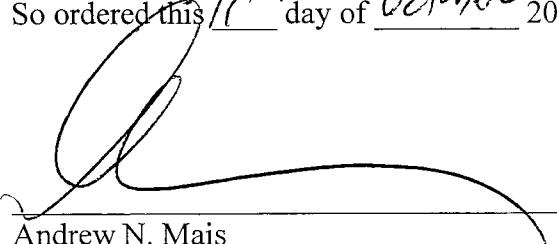
IT IS HEREBY ORDERED, in accordance with the above findings and pursuant to Section 38a-8-61 of the Regulations of Connecticut State Agencies, that:

1. A decision by default enters against the Respondent, Sean M. Maher.
2. That all licenses issued to the Respondent pursuant to Sections 38a-660 and 38a-769 of the Connecticut General Statutes, are hereby revoked and the Hearing originally scheduled for October 29, 2019 is cancelled.

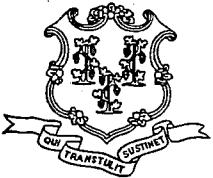
3. That pursuant to Section 38a-8-63 of the Regulations of Connecticut State Agencies:

A respondent may move to reopen any decision rendered by default within sixty (60) days of the entry thereof. The motion shall be in writing and shall state the reasons for the failure of the respondent to answer or appear. If a default was entered for failure of the respondent to file an answer, the respondent shall submit said answer with the motion to reopen. If good cause appears for the failure of the respondent to answer or appear, the Commissioner may grant said motion and shall schedule the hearing at the earliest date convenient to the Commissioner.

So ordered this 11th day of October 2019



Andrew N. Mais
Insurance Commissioner



STATE OF CONNECTICUT

INSURANCE DEPARTMENT

CONNECTICUT INSURANCE
DEPARTMENT
EXHIBIT A

IN THE MATTER OF:

SEAN M. MAHER

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Docket No. FC 19 - 76

COMPLAINT

The Insurance Commissioner of the State of Connecticut, having reason to believe that Sean M. Maher engaged in acts of conduct as set forth herein and which, if true, would violate Sections 38a-16, 38a-660 et seq., 38a-769, 38a-815 and 38a-818 of the Connecticut General Statutes and would constitute cause under Sections 38a-2, 38a-6601, 38a-774 and 38a-817 of the Connecticut General Statutes for the suspension or revocation of insurance licenses issued by the Insurance Department and/or for the imposition of a fine, and it appearing to the Insurance Commissioner that a proceeding in respect thereof would be in the public interest, hereby issues this Complaint alleging the charges in that regard as follows:

COUNT I

1. Sean Maher, herein referred to as "Respondent" is licensed as a surety bail bond agent, license number 2438655, by the State of Connecticut Insurance Department, hereinafter referred to as "Department".
2. Information and exhibits received by the Department indicate that the Respondent's surety company, Bankers Insurance Company (Bankers), terminated his surety appointment for cause, on or around May 1, 2019. The explanation that Bankers submitted to the Department indicates that the Respondent failed to remit bonds and corresponding premium payments, remitted a BUF payment in the amount of \$10,715.00, which was returned for insufficient funds and failed to submit the proper documentation to the company with regard to bail bond forfeitures.
3. Information and exhibits received by the Department indicate that Bankers conducted an audit of the Respondent's records on February 28, 2019 and noted in a follow-up letter dated April 19, 2019, that pursuant to their contract, only 22% of the Respondent's bonds had been reported within 45 days of execution. A separate report from Bankers shows that as of June 4, 2019, 23 powers of attorney with a face value of \$1,410,500.00 remain outstanding and are believed to be unexecuted.
4. Information and exhibits received in this office indicate that Bankers has been in contact with the Respondent on several occasions to request the return of the outstanding powers in question. The Respondent continues to tell Bankers that he will deliver the documents as promised.
5. Information and exhibits received in this office indicate that as of the date of this letter, the Respondent has failed to return any of the 23 outstanding powers of attorney as required.

6. The conduct as described above, if true, is a violation of Sections 38a-16, 38a-660, 38a-769, 38a-815 and 38a-818 of the Connecticut General Statutes and constitutes cause for the suspension or revocation of his licenses and/or the imposition of fines pursuant to Sections 38a-2, 38a-660*l*, 38a-774 and 38a-817 of the Connecticut General Statutes.

COUNT II

1. Paragraph 1 of Count I is incorporated herein by reference as paragraph 1 of this Count, as though fully set forth herein.
2. On or around August 08, 2019, the Department sent a notice, by certified mail, return receipt requested, No. 9214 8901 9403 8387 4465 47, to the Respondent's mailing address of record requesting that he respond to the Department, in writing, within five (5) days of receipt of such notice in order to show compliance with the law with regard to the allegations cited in count number I of this Complaint.
3. A tracking report from the United States Postal Service shows that a delivery attempt was made to the Respondent's address of record on August 09, 2019 and notification was left instructing the Respondent to pick up the letter at the Post Office. Based on this notification date, the Respondent's answer to the Department was due by the close of business on August 14, 2019.
4. To date, the Respondent has failed to make any attempt to contact the Department in order to rectify the matter in question.
5. The conduct as described above, if true, is a violation of Sections 38a-16, 38a-660 and 38a-769 of the Connecticut General Statutes and constitutes cause, pursuant to Sections 38a-2, 38a-660*l* and 38a-774 of the Connecticut General Statutes, for the suspension or revocation of insurance licenses issued by the Department and/or for the imposition of fines.

COUNT III

1. Paragraph 1 of Count I is incorporated herein by reference as paragraph 1 of this Count, as though fully set forth herein.
2. On August 12, 2019, the Respondent was arrested for illegal transport of an assault weapon and reckless endangerment 2nd degree. He failed to notify the Department of this arrest as required by statute.
3. The conduct as described above, if true, is a violation of Sections 38a-660 and 38a-769 of the Connecticut General Statutes and constitutes cause for the suspension or revocation of his licenses and/or the imposition of fines pursuant to Sections 38a-2, 38a-660*l* and 38a-774 of the Connecticut General Statutes.

Notice is hereby given to you, Sean Maher, Respondent herein, that the 29th day of October, 2019 at 10:00 A.M. is hereby fixed as the time where a public hearing will be held in the offices of the Insurance

Department, Oxford Centre, 153 Market Street, 6th Floor, Hartford, Connecticut on the charges set forth in this Complaint, at which time and place you will have the right to appear before the Commissioner, or a duly designated hearing officer, to show cause why the suspension or revocation of your insurance license and/or fines should not be imposed.

The legal authority and jurisdiction for the hearing in this matter are contained in sections 38a-8, 38a-16, 38a-660, 38a-769, 38a-774 and 38a-817 of the General Statutes and in the Uniform Administrative Procedure Act, section 4-166 *et seq.* of the General Statutes.

Pursuant to section 38a-8-61 of the Regulations of Connecticut State Agencies, you are required to file an answer within the Insurance Department within twenty (20) days of service of this Complaint specifically admitting or denying the allegations or charges set out in the Complaint. Factual allegations not specifically denied shall be deemed to be admitted.

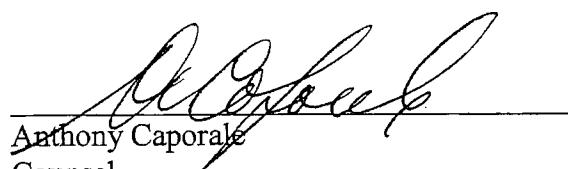
Failure to file said answer as required by Section 38a-8-61, R.C.S.A., or failure to appear at the time and place fixed for hearing will permit the Commissioner, at his discretion, to note such failure upon the record and render a decision by default.

If you as the Respondent desire to waive hearing on the allegations of fact set forth in the Complaint and not contest the facts alleged, please file with the Insurance Department an answer to this complaint on or before the twentieth (20th) day after service of it upon you, consisting of a statement that you as the Respondent in this matter admit all of the material allegations of fact charged in the Complaint to be true.

The Insurance Department does not discriminate on the basis of disability in admission to, access to, or operation of its programs, services or activities, in accordance with Title II of the Americans with Disabilities Act of 1990. Individuals who require auxiliary aids for effective communication or other accommodation are invited to make their needs and preferences known to Patricia Tiberio, ADA Coordinator, at the Insurance Department - Tel: (860) 297-3800.

All correspondence concerning this matter should be sent to the Insurance Department, State of Connecticut, P. O. Box 816, Hartford, CT 06142-0816, attention: Anthony Caporale, Counsel.

Dated at Hartford, Connecticut, this 6th day of September, 2019.



Anthony Caporale
Counsel
(860) 297-3981



STATE OF CONNECTICUT

Insurance Department

P.O. Box 816

Hartford, CT 06142-0816

BB/Fraud/NL

CONNECTICUT INSURANCE

DEPARTMENT

EXHIBIT B

Sean Maher

A large, horizontal black redaction mark covering the signature of Sean Maher.



STATE OF CONNECTICUT

Insurance Department

P.O. Box 816

Hartford, CT 06142-0816

Sean Maher

A large, horizontal black redaction mark covering the signature of Sean Maher.



PROOF OF ACCEPTANCE (ELECTRONIC)

PRODUCED DATE: 09/17/2019

STATE OF CONNECTICUT DEPARTMENT OF INSURANCE:

The following is information for Certified Mail™/RRE item number:

9214 8901 9403 8390 2911 96

Our records indicate that this item was accepted by the USPS at:

ORIGIN ACCEPTANCE HARTFORD, CT 06142 09/17/2019

ORIGINAL INTENDED RECIPIENT:

SEAN MAHER

A large rectangular area of the document has been completely blacked out with a redaction marker, obscuring the original intended recipient's name.

Department: Fraud

The above information represents information provided by the United States Postal Service.



Mailer: State of Connecticut Department of Insurance

Date Produced: 09/30/2019

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8390 2911 96. Our records indicate that this item was delivered on 09/25/2019 at 04:55 p.m. in [REDACTED]. The scanned image of the recipient information is provided below.

Signature of Recipient :



SEAN M. MAHER

Address of Recipient :

36 PEACH TREE LN
SOUTH WINDSOR, CT 06074-3230

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

SEAN MAHER

[REDACTED]

Customer Reference Number: C1622730.8948436

CONNECTICUT INSURANCE
DEPARTMENT
EXHIBIT C