

**BEFORE ALLAN L. MCVEY, INSURANCE COMMISSIONER
OF THE STATE OF WEST VIRGINIA**

In re: Samantha D. May

Administrative Proceeding No. 23-IC-155834

CONSENT ORDER

In lieu of holding an Administrative Hearing in this matter, the parties hereto have reached an accord and desire an agreed Consent Order to be entered accordingly. Samantha May, Producer License #19366837 understands and agrees that by consenting to this Consent Order she waives all rights to an administrative hearing and to judicial review of this matter. Samantha May understands and agrees that by consenting to this Order she is agreeing to an administrative action being taken against her producer license.

The Insurance Commissioner for the State of West Virginia (hereinafter "Commissioner") believes the entry of this Consent Order is appropriate and in the public interest.

JURISDICTION

The Commissioner has jurisdiction over the subject matter of this action and over Samantha May, pursuant to W.Va. Code §§ 33-12-1, *et seq.*

W.Va. Code §33-12-24(b) states:

(b) The Insurance Commissioner may place on probation, suspend, revoke or refuse to issue or renew an insurance producer's license, solicitor's license or excess line broker's license, or may levy a civil penalty or any combination of actions, for any one or more of the following causes:

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

...

(9) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere[.]

Pursuant to W.Va. Code § 33-12-24(e), in addition to or in lieu of any applicable denial probation, suspension or revocation of a license, a person may, after hearing, be subject to a civil penalty not to exceed Five Thousand Dollars (\$5,000.00) per violation.

APPLICABILITY

This consent order applies to Samantha May Producer License #19366837, issued pursuant to Chapter 33, Article 12 of the West Virginia Code.

EFFECT ON THIRD PARTIES

This consent order does not vest standing in any third party with respect to the terms hereof, nor create for any person, other than the parties hereto, a right to enforce its terms.

ALLEGED FACTS

The Commissioner received evidence that Samantha May, during her appointment with Erie Insurance Group (“Erie”) and during her employment with West Virginia Insurance Agency (“WVIA”), accessed the Erie “ExpressPay” Payment center and intentionally altered the payment due dates for her personal Erie automobile insurance policy. As the result of twenty-eight intentional alterations, Ms. May retained personal automobile insurance without payment for that coverage from November of 2021 through May of 2023. In total, Ms. May owed \$2,994.10 in premium for insurance that she received without payment for the same. Erie

terminated Ms. May's producer appointment on May 9, 2023, upon discovery of Ms. May's activity.

AGREED ACTION

By executing this Consent Order, Samantha May consents to the entry of this order against her. In addition, she acknowledges that the Insurance Commissioner has amassed such evidence that the Commissioner might prevail at a hearing against her resulting in the revocation or suspension of her license and the imposition of a civil fine or penalty pursuant to W.Va. Code § 33-12-24(e). Accordingly, **Samantha May consents to the revocation of her license and a monetary fine of One Thousand (\$1,000.00) dollars.**

FINAL DISPOSITION

This Consent Order shall constitute the final disposition of Commissioner administrative proceeding 23-IC-155834.

MISCELLANEOUS PROVISIONS

Jurisdiction of this case is retained for enforcement of this consent order. Any party hereto may apply to the Commissioner for such further orders and directions as may be necessary or appropriate for the construction and enforcement of this consent order. The remedies in this consent order are cumulative and in addition to any other remedies the Insurance Commissioner may have at law or equity. Nothing herein shall be construed to prevent the Commissioner from bringing any action for conduct not released hereunder, even though that conduct may also violate this consent order.

Samantha May understands that this is an action taken against her license and will be reported to the RIRS database maintained by The National Association of Insurance Commissioners (NAIC).

ORDER

WHEREFORE, based upon the foregoing, it is the finding of the Insurance Commissioner that Samantha May violated W. Va. Code §§ 33-12-24(b)(4) and 33-12-24(b)(9). It is, therefore, further **ORDERED** that Samantha May's resident producer license be revoked and that she shall a penalty to the State of West Virginia in the amount of One Thousand Dollars within thirty (30) days of the date of this Order.

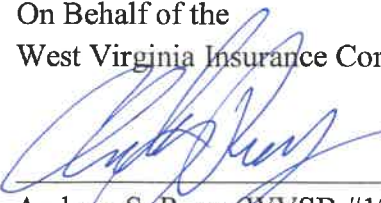
Entered on this 23rd day of October 2023.


ALLAN L. MCVEY, CPCU, ARM, AAI, AAM, AIS
INSURANCE COMMISSIONER

Agreed To:


Samantha May

On Behalf of the
West Virginia Insurance Commissioner


Andrew S. Ryan (WVSB #12813)
Attorney
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