

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE, BLDG. 69-2
CRANSTON, RHODE ISLAND 02920**

IN THE MATTER OF:

BRIAN P. PAYNE

Respondent.

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DBR No. NPN 7981712

CONSENT AGREEMENT

It is hereby agreed between the Department of Business Regulation (“Department”) and Brian P. Payne (“Respondent”) as follows:

1. In accordance with R.I. Gen. Laws §27-10-1.2 *et seq.* Respondent was licensed by the Department and held a claim adjuster license from April 25, 2006 through April 30, 2013, and a Public Adjuster license from January 5, 2015 with an expiration date of April 30, 2019.
2. On January 13, 2017 a complaint was filed against Brian P. Payne alleging unlicensed activity. In the investigation of that complaint, the Department found that Respondent did not have an active public adjuster license when he entered into a contract with the complainant on December 30, 2013.
3. The Respondent’s employer informed the Department that due to a change in staff and a clerical oversight they did not renew the license on time on behalf of the Respondent. They have since reviewed and corrected their internal procedures to prevent this from happening in the future.
4. The Respondent’s employer confirmed that the December 30, 2013 contract was the only RI claim handled while he was unlicensed.

5. The Department determined that Respondent's activity on December 30, 2013 required a license pursuant to R.I. Gen. Laws § 27-10-1.2 *et seq.*

6. WHEREFORE, based on the foregoing, Respondent and the Department have decided to resolve this matter without further administrative proceedings and hereby agree to the following resolution:

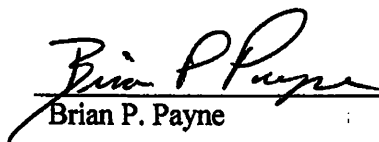
1. Respondent voluntarily waives its right to a hearing, voluntarily waives its right to appeal under R.I. Gen. Laws § 42-35-9, admit the allegations in paragraphs one (1) through four (4) above are true.
2. Respondent must:
 - A. Pay an administrative penalty totaling \$500.
 - B. Maintain an individual public adjuster license during all time periods in which Respondent holds himself out as a public adjuster for Rhode Island claims.
3. If Respondent fails to comply with the terms of this agreement, the Department may institute further administrative action including but not limited to 1) suspension, 2) revocation and/or 3) additional administrative penalties. Respondent shall be provided with notice and an opportunity for hearing should the Department choose to take such further action.

Counsel for the Department and Respondent hereby consent and agree to the foregoing on behalf of their respective clients the 13th day of April 2017.

Department of Business Regulation
By its Legal Counsel,

Respondent


Matthew M. Gendron, Esq.


Brian P. Payne