

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF BUSINESS REGULATION  
JOHN O. PASTORE COMPLEX, BLDG 68-69  
1511 PONTIAC AVENUE  
CRANSTON, RI 02920

IN THE MATTER OF  
NICHOLAS H. PACHECO  
  
Respondents.

DBR No.  
13-IN-022

CONSENT ORDER

It is hereby agreed between the Department of Business Regulation (“Department”) and Nicholas H. Pacheco (Respondent) as follows:

1. Respondent is the holder of insurance producer license number 1072645 with life and health lines of authority. Respondent is also the 100% owner and manager of Independent Benefit Solutions, LLC insurance agency.
2. The Department received notice on July 3, 2012 that Respondent was terminated for cause by Bankers Life and Casualty Company for “forgery of a client’s signature onto other insurance documents.”
3. Respondent was also terminated for cause by securities broker-dealer Proequities, Inc. on May 18, 2012. The cause for termination was that when the firm asked him to obtain an additional client signature on a disclosure form, Respondent “copied the client’s signature from a previous document, dated the copies of the client’s signature with the current date and presented those as newly-created documents to the firm.”
4. Pacheco responded that he had met with the client, that the client was not harmed by the alleged forgery, and that the client had assented to the signature being added to the document

in question.

5. Respondent acknowledges that he did affix a photocopied signature of a client to a document and attempted to pass the signature off as an original signature.
6. The Department conducted a subsequent investigation into Respondent's activities relating to both that incident as well as reviewing 105 other client files generated between 2011 and 2012. In its review of those files, the Department did not identify any unsuitable transactions, but does not take a position as to whether each of the transactions were suitable.
7. The Department filed an Order to Show Cause on February 15, 2013 alleging violations of R.I. Gen. Laws § 27-2.4-14(a)(2) and (8) based on the above allegations.

The Department and the Respondent agreed upon the following items:

- 1) Respondent will pay an administrative fine of \$500 within ten (10) days of the execution of this Order.
- 2) Respondent acknowledges that Rhode Island laws do not allow him to alter documents by adding signatures from other documents, regardless of whether the consumer authorized it.

#### RECOMMENDATION

CONSENTED TO AS TO FORM AND SUBSTANCE BY:

Respondent Nicholas H. Pacheco:



Date: 04/02/2018

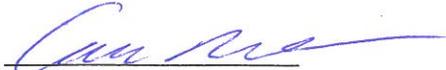
For the Department:

  
Matthew Gendron, Esq.

Date: \_\_\_\_\_

Date: 4/2/2018

RECOMMENDED BY:

  
Catherine Warren, Esq., Hearing Officer

Date: 4/4/18

ORDER

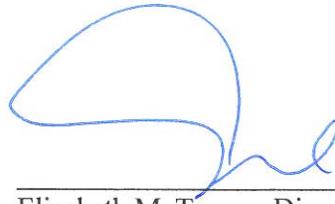
I have read the Consent Order as agreed to by and between the parties in the above captioned matter and I hereby take the following action:

Approve

Modify

Reject

Dated: 4/24/18

  
\_\_\_\_\_  
Elizabeth M. Tanner, Director

THIS CONSENT ORDER CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO RHODE ISLAND GENERAL LAWS TITLE 42, CHAPTER 35. AS SUCH, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MAY BE COMPLETED BY FILING A PETITION FOR REVIEW OF SAID COURT. HOWEVER, RESPONDENT UNDERSTANDS THAT BY WAIVING ITS RIGHTS TO A COMPLETE HEARING AND AGREEING TO THIS CONSENT ORDER, THE ABOVE RIGHTS ARE WAIVED AND IF ANY TERMS OF THIS CONSENT ORDER ARE VIOLATED, RESPONDENT'S LICENSE SHALL BE SUBJECT TO SUSPENSION OR REVOCATION.

CERTIFICATION

I hereby certify on this 24 day of April, 2018, that a copy of the within order was sent by electronic mail to:

npacheco@independentbenefitsolutions.com, and

Catherine.Warren@doa.ri.gov

as well as the following parties at the Department of Business Regulation: Elizabeth Kelleher Dwyer, Deputy Director Insurance; Matthew Gendron, Esq.; and Sarah Neil.

  
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