

**STATE OF RHODE ISLAND
DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE, BUILDING 69-2
CRANSTON, RHODE ISLAND 02920**

**IN THE MATTER OF:

TIMOTHY R. MAILLOUX

RESPONDENT**

**DBR No. 2022-IN-004
&
NPN No. 8323205**

CONSENT AGREEMENT

Whereas Timothy R. Mailloux (Respondent) previously held a Rhode Island resident insurance producer license (License No. 2010794, NPN No. 8323205);

Whereas Respondent now holds a non-resident Rhode Island insurance producer license with a current expiration date of April 30, 2025;

Whereas Respondent and his counsel met and conferred with the Rhode Island Department of Business Regulation (“Department”) and decided that rather than bearing the burden of an administrative hearing and leaving the decision to the determination of the hearing officer, the parties have agreed upon a mutually acceptable resolution to the issues at hand;

Whereas Respondent has reviewed this Consent Agreement with duly admitted counsel, and has benefitted from advice of counsel throughout the process; and

It is hereby agreed between the Respondent and the Department as follows:

1. On January 27, 2022, the Department’s Complaint Analyst (Analyst) emailed Respondent regarding a consumer complaint against another agent. The email was addressed to the email address on file in Respondent’s producer database.

2. After not receiving a response, on February 14, 2022, the Analyst forwarded the original email request to another email address stating that the Analyst did not have a record of having received a response and to please respond back by close of business on February 18, 2022.
3. On February 22, 2022, the Analyst also forwarded the complaint to Respondent's home address via certified mail. That certified letter was returned on March 3, 2022 as not deliverable as addressed unable to forward.
4. After not receiving a response to the email and receiving the returned certified mail, on March 4, 2022, the Analyst then called Respondent at his listed home number and business phone numbers and left messages that the Department was seeking to discuss a matter with him. The Analyst left a voicemail message on the cell phone and then reached an administrative assistant at the place of business who said that Mr. Mailloux was on another line and put the Analyst through to leave a voicemail for Mr. Mailloux.
5. The Analyst then researched different addresses for Respondent and his company, and on March 28, 2022 sent an email and Certified Letters to different home and business addresses. Those letters were confirmed received on March 29 and March 31, 2022.
6. On April 6, 2022, Respondent sent an email to the Department partly answering the Department's initial questions.
7. There are 69 days from January 27, 2022 to April 6, 2022.
8. Since April 6, 2022, Respondent has answered the Department's questions concerning the other agent and otherwise been cooperative with the Department.
9. Respondent has assisted the consumer with respect to her issues with the other agent.

10. The Rhode Island Regulation 230-RICR-10-00-2.4A operative throughout 2022 stated that “If instructed to do so by the Department, the Respondent shall file a response to the complaint within fifteen (15) business days or such other time frame specified by the Department.”

11. R.I. Gen. Laws § 27-2.4-9(f) requires that “Insurance producers shall inform the insurance commissioner by any means acceptable to the insurance commissioner of a change in legal name or address within thirty (30) days of the change.”

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

I. Respondent acknowledges the above referenced facts and is entering into this Consent Agreement in an effort to resolve this matter fully and fairly.

III. To resolve this matter, Respondent agrees to pay an administrative penalty of one thousand dollars (\$1,000.00) within 30 days of the execution of this Consent Agreement.

IV. Respondent agrees to communicate within the statutory timeframe of any future change of address, telephone number or email to the Department.

V. Waiver of Hearing and Appeal. By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws §42-35-1 *et seq.*


VI. Enforcement. If Respondent fails to comply with any term or condition of this Consent Agreement within any applicable time period set forth, Respondent will be in

violation hereunder and the Department shall be entitled to immediately take any enforcement or other action in accordance with applicable law.

VII. Compliance: Other Laws. Compliance with the terms of this Consent Agreement does not relieve Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department or any other government agency.

Counsel for the Department and the Respondent hereby consent and agree on the foregoing on behalf of their clients the 30th of August, 2023.

Rhode Island Department of
Business Regulation
by its legal counsel



Matthew Gendron, Esq.

Timothy R. Mailloux
Respondent

