



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

IN THE MATTER OF:

Joseph Michael Barletta

RESPONDENT.

DBR No.: 2023-IN-014

&

NPN No.: 19702915

**EMERGENCY ORDER SUMMARILY SUSPENDING LICENSE;
ORDER TO SHOW CAUSE: WHY AN ORDER SHOULD NOT ISSUE
TO REVOKE INSURANCE PRODUCER LICENSE AND
PENALTIES SHOULD NOT BE ASSESSED;
NOTICE OF HEARING AND APPOINTMENT OF HEARING OFFICER**

The Director (“Director”) of the Rhode Island Department of Business Regulation (“Department”) issues this Order pursuant to R.I. Gen. Laws § 42-35-1 *et seq.* to provide interested parties with Notice of an administrative hearing in connection with information the Department has received against Joseph Michael Barletta (“Respondent”). The Director issues this Emergency Order Summarily Suspending License, Order to Show Cause Why an Order Should Not Issue to Revoke an Insurance Producer License and Penalties Should Not be Assessed, Notice of Hearing, and Appointment of Hearing Officer pursuant to R.I. Gen. Laws § 42-35-1 *et seq.* to provide interested parties with Notice of an Emergency Order and administrative hearing in connection with information the Department has received against the Respondent. The Director issues the Emergency Order for the following reasons:



EMERGENCY FINDING

1. Based on the facts below, the Director finds that Respondent's continuing to hold an insurance producer license would be adverse and detrimental to the public health, safety and welfare and therefore emergency action is imperatively required.

2. This Emergency Order is being issued because Respondent failed to comply with the payment requirements for licensure and then failed to respond to multiple inquiries from the Department's Insurance Division (the "Division") asking why, after submitting his renewal application and being issued a license, Respondent disputed the charge to the credit card that he submitted for payment of the license renewal fee.

3. The Division in total has sent one (1) email and five (5) letters (sent both by a combination of certified mail and regular mail to Respondent's business and residence addresses as per the license record, and to a forwarding address provided by the USPS on a piece of returned mail) requesting his response, and to date no response has been received. A vendor of the Division also undertook three additional attempts to connect with Respondent.

4. A public search reflects that Respondent is actively licensed and has been even though he has made no payment on his license renewal since February.

5. The Division and its vendor have attempted to contact Respondent at least eight (8) times about this issue and have not received a single response.

6. Consumers, insurance companies and other state regulators rely upon the Department's publicly available licensing status information. As such, allowing Respondent's license to continue when he has failed to satisfy a material pre-condition



for licensure and failed to respond to numerous inquiries from the Department as required by statute would be detrimental to public health, safety and welfare.

FACTS SUPPORTING THIS ORDER

7. Respondent currently holds a non-resident Rhode Island insurance producer license (License# 3002095664, NPN# 20423774) with a current expiration date of February 28, 2026.

8. On March 9, 2024, Respondent completed an electronic application to renew his Rhode Island resident insurance producer license. As part of the application process Respondent was required to submit payment, which was submitted at the time of the application and transmitted via the National Insurance Producer Registry (NIPR) to the State of Rhode Island.

9. On June 6, 2024, the Division received notice from NIPR that the credit card charge was disputed after the application was submitted, processed, and Respondent's license was issued. Therefore, Respondent's license was processed and approved on March 11, 2024, without making the required payment.

10. NIPR initially attempted to contact Respondent about this issue on March 15, 2024, April 3, 2024, and April 17, 2024.

11. In accordance with RI General Laws § 27-2.4-8, a condition of licensure is paying the fee; absent the fee, Respondent does not qualify for this license.

12. On June 10, 2024, the Division reached out to Respondent via the email listed on Respondent's insurance producer license, Jbarletta.ffl@gmail.com; a response was required and was due by June 25, 2024.



13. When no response was received, the Division sent a letter to Respondent June 26, 2024; a response was required and was due by July 3, 2024. Again, no response was received.

14. The Division notes that both the regular and certified mailings sent to Respondent's residence/ mailing and business addresses were all returned as undeliverable. The email was not returned as undeliverable.

15. R.I. Gen. Laws § 27-2.4-9(f) requires a licensee to notify the Division of any change to the licensee's addresses within thirty (30) days of the change.

16. The residence address mailing to Respondent came back with a United States Postal Service (USPS) printed note. The note said, "FORWARD TIME EXP RTN TO SEND." And then listed an address of [REDACTED].

17. The USPS website at <https://www.usps.com/manage/forward.htm> states "standard mail forwarding lasts 12 months. You can pay to extend mail forwarding for 6, 12, or 18 more months (18 months is the maximum)."

18. On information and belief, Respondent moved from his address in Providence more than twelve months before the time the Division mailed the first letter in June 2024.

19. In extraordinary effort, and even though Respondent has never notified the Department of any change of address as required by statute, the Division then mailed the notices again to Respondent at the Cumberland address on August 23, 2024.

20. On September 4, 2024, the USPS sent back the letter to the newest address stating "Return to Sender, Not Deliverable as Addressed, Unable to Forward."



AUTHORITY

21. R.I. Gen. Laws § 42-35-14(c) states that if “the agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of license may be ordered pending proceedings for revocation or other actions.”

22. R.I. Gen. Laws §§ 27-2.4-4 & 27-2.4-8 outline that a fee is required for an individual to obtain an insurance producer license.

23. 230-RICR-20-50-5.4(B)(1)(a) sets the amount of the insurance producer license renewal fee for residents at \$120 for a two-year license.

24. R.I. Gen. Laws § 27-2.4-9(f) requires licensed insurance producers to notify the Division of any change in address within thirty (30) days of the change.

25. R.I. Gen. Laws § 42-14-16(a)(1) provides that after a hearing, the Department can revoke a license or issue penalties for violations of Title 27 or regulations promulgated thereunder.

THEREFORE, based on the foregoing, the Director hereby **ORDERS**:

- I. That Respondent’s non-resident insurance producer license be suspended immediately.
- II. Respondent is ordered to appear before a Hearing Officer at the Department for a **Pre-Hearing Conference on October 21 at 10A.M.** at the Department of Business Regulation, 1511 Pontiac Avenue, Building 69-2, Cranston, RI 02920. The Pre-Hearing Conference is held pursuant to 230-RICR-10-00-2.5 to determine why the Director should not issue an order revoking Respondent’s



insurance producer license and issue penalties pursuant to R.I. Gen. Laws § 42-14-16.

III. The Director hereby appoints Catherine R. Warren, Esq. as Hearing Officer for the purpose of conducting the hearing and rendering a decision in this matter.

The proceedings shall be conducted in conformity with R.I. Gen. Laws § 42-35-1 et seq. and 230-RICR-10-00-2.

IV. Pursuant to 230-RICR-10-00-2.7, Respondent may be represented by legal counsel admitted in the State of Rhode Island. If Respondent fails to appear at the hearing and has not otherwise notified the Department of the Respondent's inability to attend, the Hearing Officer may enter a default judgment against the Respondent pursuant to 230-RICR-10-00-2.21.

If you have any questions regarding the subject matter of the hearing, please contact Attorney Matthew Gendron, Esq., via email at Matthew.Gendron@dbr.ri.gov or by phone at (401) 462-9540 and reference the case name and number.

Dated 9/23/2024

Elizabeth Kelleher Dwyer, Esq., Director

All are welcome at the Rhode Island Department of Business Regulation ("DBR"). If any reasonable accommodation is needed to ensure equal access, service or participation, such as to request sign language and/or CART services for the deaf and hard of hearing, please contact DBR at **DBR.DirOfficeInq@dbr.ri.gov** or call DBR at 401-462-9551, RI Relay at 7-1-1. We would encourage you to contact us as soon as possible, and at least 5 business days before the date of the scheduled hearing, to allow adequate time to process your request.



CERTIFICATION OF SERVICE

I hereby certify that on this 23rd day of September, 2024 a copy of this Emergency Order Summarily Suspending License, Order to Show Cause and Notice of Hearing and Appointment of Hearing Officer was sent by first class mail postage prepaid and certified mail to:

Residence Address per Licensing Record Joseph Michael Barletta [Redacted]	Business Address per Licensing Record Joseph Michael Barletta [Redacted]
Forwarded Address per USPS Joseph Michael Barletta [Redacted]	

And by email to:

1. Catherine Warren, Esq., Hearing Officer (catherine.warren@doa.ri.gov);
2. Matthew Gendron, Esq. (matthew.gendron@dbr.ri.gov);
3. Kallie Longval, Esq. (Kallie.Longval@dbr.ri.gov);
4. Sharon Wiggins (sharon.wiggins@dbr.ri.gov);
5. Rachel Chester (rachel.chester@dbr.ri.gov); and
6. Joseph Michael Barletta (jbarletta.ffl@gmail.com).

Megan Mihara
Print Name: