

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

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<b>IN THE MATTER OF:</b>	:	
	:	
<b>Edward Heiss,</b>	:	<b>DBR No.: 14IN001</b>
	:	
<b>Respondent.</b>	:	

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**ORDER REVOKING LICENSE**

The above-entitled matter came for a hearing on March 25, 2015 pursuant to the Department of Business Regulation's ("Department") Emergency Order Suspending Insurance Produce License ("Emergency Order") issued by the Department on January 14, 2014 to Edward Heiss ("Respondent").<sup>1</sup> The Respondent holds an insurance producer license ("License") issued pursuant to R.I. Gen. Laws § 27-2.4-1 *et seq.* At hearing, the Respondent did not appear. The Department was represented by counsel.

The Division's counsel indicated that she had spoken to the Respondent prior to the hearing and he informed her that he would not be attending the hearing and that he would agree to an entry of an order memorializing what he has initially agreed to at a pre-hearing conference in order to settle this matter. The Division's counsel indicated that the Respondent had agreed that the Emergency Order would stay in full force and effect, that he would not contest the allegations, that he would surrender his License, and that while he would not be barred in future from applying for a new insurance producer license, he understood that the Department would consider the facts contained in the Emergency Suspension in relation to any such application.

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<sup>1</sup> The undersigned was appointed substitute hearing officer on February 11, 2015.

The Department requested that the undersigned make findings of facts on the basis of the Emergency Order and enter a default judgment against Respondent finding that the facts alleged by the Department are true and imposing the same terms and conditions as the Respondent already agreed to. The Department has jurisdiction over this matter pursuant to R.I. Gen. Laws § 27-2.4.1-1 *et seq.*

Based on the foregoing, the undersigned makes the following findings of fact:

1. Pursuant to Section 21 of the *Central Management Regulation 2 – Rules of Procedure in Administrative Hearings* (“CMR2”), the Respondent is declared to be in default for failing to appear at the hearing.

2. Pursuant to Section 21 of the CMR2, the allegations in the Emergency Order are found to be true.

Based on the forgoing, the undersigned makes the following conclusions of law:

1. The Respondent violated R.I. Gen. Laws § 27-2.4-14(1), (2), (3), (4), (5), (6), (7), and (8).

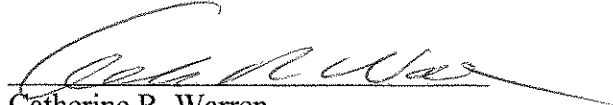
On the basis of the forgoing, the undersigned makes the following recommendation:

1. The Respondent’s License is revoked.<sup>2</sup>
2. The Emergency Order is still in effect.
3. The Respondent is not barred in future from applying for a new insurance producer license but the Department can consider the acts set forth in the Emergency Order (as well as any other relevant facts) in considering the application so that an application for a new license does not mean that such an application will be granted.

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<sup>2</sup> While the Respondent had initially agreed to surrender his License, he did not execute the consent order and the Department requested that the License be revoked.

Entered this 2<sup>nd</sup> day of April, 2015.

  
Catherine R. Warren  
Hearing Officer

I have read the Hearing Officer's recommendation in this matter and I hereby ADOPT/REJECT the findings of facts, the conclusions of law, and recommendation of the hearing officer in the above entitled Final Order.

Dated: 4/7/15

  
Macky McCleary  
Director

Entered as Administrative Order No. 15 - 8 on this 7<sup>th</sup> day of April, 2015.

#### NOTICE OF APPELLATE RIGHTS

THIS ORDER CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

#### CERTIFICATION

I hereby certify that on this 7<sup>th</sup> day of April, 2015, that a copy of the within Order was sent by first class mail, postage prepaid Mr. Edward Heiss, 201 Greenbrier Drive, Seekonk, MA 02771 and by electronic delivery to Elizabeth Kelleher Dwyer, Esquire and Joseph Torti, Deputy Director, Department of Business Regulation, Pastore Complex, 1511 Pontiac Avenue. Cranston, RI.

**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:	:	
	:	
EDWARD HEISS JR.,	:	DBR No. 14IN001
	:	
RESPONDENT.	:	
	:	

**EMERGENCY ORDER SUSPENDING INSURANCE PRODUCER LICENSE**

Pursuant to R.I. Gen. Laws §§ 42-14-16, 42-35-9 and 27-2.4-14, the Director of the Department of Business Regulation (“Department”) hereby issues this Emergency Order Suspending Insurance Producer License (“Order”) to Edward Heiss Jr. (“Respondent”). This Order shall be effective upon issuance.

The Department hereby schedules a full administrative hearing on this revocation for January 23, 2014 at 10:00 a.m. at the Department’s office located at 1511 Pontiac Avenue, Bldgs. 68 & 69, Cranston, RI 02920.

The Director makes the following findings of fact and conclusions of law with respect to entry of this Order:

1. Respondent is the holder of insurance producer license number 1050288 with life, health, accident or sickness (health), property, casualty, variable life, and variable annuity lines of authority. This license was first issued on 11/01/1978 and is set to expire on 06/30/2015.

2. On December 9, 2013 Respondent plead to and was convicted of felony embezzlement in Providence County Superior Court.

3. Respondent was sentenced to five years suspended sentence, 100 hours of community service, ordered to have no contact with the victim and to pay full restitution for embezzling \$16,714.42 from a consumer between December 10, 2004 and January 1, 2012.

4. The allegations to which Respondent plead were that he received the embezzled funds from a consumer for the purpose of purchasing an annuity product allegedly sold through Allianz Life Insurance Company. Allianz did not receive the funds and the annuity was not purchased.

5. On June 19, 2013 Respondent completed a license renewal application and responded “no” to “[...] are you currently charged with committing a crime, which has not been previously reported to this insurance department?” This assertion was false as the above referenced charges were pending at the time the application was completed.

6. The Department contacted Allianz and learned that Respondent was terminated by Allianz in 2007. Allianz asserts that Respondent owes Allianz approximately \$52,000 in return commissions which remains due and owing as of this date.

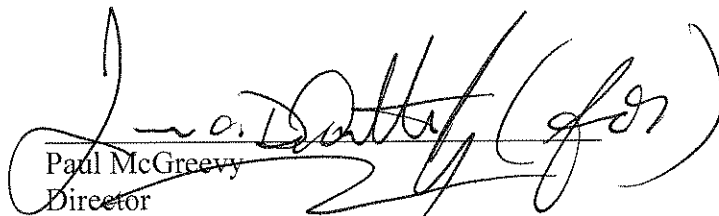
7. As a result of these acts, the Department asserts that Respondent’s insurance license should be revoked on the basis of R.I. Gen. Laws § 27-2.4-14(1)(2)(3)(4)(5)(6)(7)(8) and/or R.I. Gen. Laws § 27-2.4-19.

Based on the foregoing, the Director finds that due to the seriousness of the violations alleged to be attributed to Respondent in this Order, the public safety and welfare imperatively requires that Respondent’s insurance producer license be summarily suspended pursuant to R.I. Gen. Laws §§ 42-35-14.

Accordingly, it is hereby ORDERED:

1. That Respondent's insurance producer license is hereby suspended pursuant to R.I. Gen. Laws § 42-35-14.
2. That Neena Sinha Savage, Esq. be appointed Hearing Officer for the purpose of conducting the hearing and entering a decision in this matter.
3. That a full evidentiary hearing on this revocation be held on January 23, 2014 at 10:00 a.m. at the Department's office located at 1511 Pontiac Avenue, Bldgs. 68 & 69, Cranston, RI 02920.

Dated this 14<sup>th</sup> day of January 2014

  
Paul McGreevy  
Director

If you have any questions regarding the subject matter of this Order, please contact Elizabeth Kelleher Dwyer at (401) 462-9615 or [elizabeth.dwyer@dbr.ri.gov](mailto:elizabeth.dwyer@dbr.ri.gov) and reference the case name and number.

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, please contact DBR at 401-462-9551, RI Relay at 7-1-1, or email [directorofficeinquiry@dbr.ri.gov](mailto:directorofficeinquiry@dbr.ri.gov) at least three (3) business days prior to the meeting.

CERTIFICATION

I hereby certify that on this 15<sup>th</sup> day of January 2014 a copy of this Emergency Order Suspending Insurance Producer License was sent by first class mail postage prepaid and certified mail to

Edward Heiss, Jr.  
Single Source Insurance Advisor LLC  
P.O. Box 6970  
Warwick, RI 02887-6970

Edward Heiss, Jr.  
63 Castle Rocks Rd  
Warwick, RI 02886-9534

A handwritten signature in cursive script, reading "Justin L. Malle", is written over a horizontal line.