



LOUISIANA DEPARTMENT OF INSURANCE

JAMES J. DONELON
COMMISSIONER

CEASE AND DESIST ORDER
SUMMARY SUSPENSION
NOTICE OF REVOCATION AND FINE
PRODUCER LICENSE #181119
PRODUCER LICENSE #280097

December 3, 2021

Vilia Ann Ragas
3501 Holiday Drive, Suite 403
New Orleans, LA 70114

Article # **7020 0640 0001 4919 5013**

Vilia Ann Ragas
5816 W. Deer Park Blvd.
New Orleans, LA 70127

Article # **7020 0640 0001 4919 5020**

Citywide Insurance Agency Inc.
c/o Vilia Ann Ragas
3501 Holiday Drive, Suite 403
New Orleans, LA 70114

Article # **7020 0640 0001 4919 5044**

Via Email: ragasfinance@aol.com

WHEREAS, IT HAS COME TO MY ATTENTION, as Commissioner of Insurance (Commissioner) of the Louisiana Department of Insurance (LDI), that Vilia Ann Ragas has violated certain provisions of the Louisiana Insurance Code, Title 22, La. R. S. 22:1 *et. seq.* As used hereinafter, "you" and "your" refer to Vilia Ann Ragas. Accordingly, pursuant to the power and authority vested in me as the Commissioner, I issue this Order to Cease and Desist, Summary Suspension, Notice of Revocation and Notice of Fine based on the following, to wit:

You were licensed by the Louisiana Department of Insurance as an insurance producer (License #181119) on December 14, 1989. You are the owner of producer agency, Citywide Insurance Agency Inc. ("Citywide"). Citywide is also licensed in the State of Louisiana as an insurance producer (License #280097). Citywide is duly incorporated and domiciled in the State of Louisiana. You are the registered agent, president, and sole director of Citywide.

On October 12, 2006, both you and Citywide were issued Cease and Desist Orders and Summary Suspensions for the failure to remit premiums for two clients. On January 18, 2007, you admitted to the violations contained in the Cease and Desist Order. You and Citywide were fined \$2,000.00 each and your licenses were suspended for six months. Currently, both producer licenses are active.

J. Doyle

On January 10, 2020, you represented Johnnie Doyle as her insurance producer by completing an Acord commercial general liability policy application. On January 21, 2020, you and Mrs. Doyle signed the commercial insurance application and an Evanston Insurance Company ("Evanston") dwelling supplemental application. You obtained a general liability policy with Evanston for Mrs. Doyle. The total annual premium was \$325.00. That same date, Mrs. Doyle wrote Citywide a check for \$3,373.82 for homeowner's insurance.

On March 12, 2020, Mrs. Doyle received a Notice of Cancellation of Insurance from Lloyds of London through Hull & Company LLC pertaining to her insurance policy. Mrs. Doyle stated she requested a declaration page for her 2020 insurance policy, and you failed to provide her with one. In November 2021, after Mrs. Doyle filed a complaint with the LDI, you mailed her a copy of the declaration page from the cancelled Lloyds of London policy, showing an annual premium cost of \$2,675.77 and that Mrs. Doyle was insured from January 21, 2020 to January 21, 2021.

On February 12, 2021, you and Mrs. Doyle signed an Accord application for homeowner's insurance. You listed a Lloyds of London policy number when asked for prior coverage information. Mrs. Doyle wrote Citywide a check for \$4,445.00 for property insurance. That same date you issued a fraudulent Certificate of Property Insurance for Mrs. Doyle's property showing it was insured by Maison Insurance Company ("Maison"). According to Maison they were not writing new business at the time the certificate of insurance was issued. Furthermore, Maison says they did not receive an application for coverage nor any payment for coverage on Mrs. Doyle's property.

On April 13, 2021, you submitted an insurance policy application and received an insurance policy quote of \$3,111.00 from Louisiana Citizens Property Insurance Corporation ("LA Citizens"). Mrs. Doyle disputes signing the application. You paid a \$65 non-refundable application fee for insurance coverage on Mrs. Doyle's property. The quote expired on April 28, 2021 when the required premium payment was not received.

On May 12, 2021, you received a quote of \$3,302.00 for coverage on Mrs. Doyle's property. You paid the \$65.00 non-refundable application fee to LA Citizens. The quote expired on May 27, 2021 when the required premium payment was not received.

On June 15, 2021 you received a quote of \$2,858.00 from LA Citizens for Mrs. Doyle's property. You made a premium payment of \$872.00 which included the \$65.00 non-refundable application fee. On August 8, 2021, that policy was cancelled for failure to submit the completed application documents. LA Citizens called Citywide twice about the required documents, but they were not submitted. A refund check in the amount of \$402.00 was issued and sent to Mrs. Doyle.

On August 20, 2021, you submitted an insurance policy application and received a quote of \$2,763.00 from LA Citizens for Mrs. Doyle's property. Mrs. Doyle disputes signing the application. You paid the \$65.00 non-refundable application fee. On September 4, 2021, the quote expired when the required premium payment was not received. On September 17, 2021, Mrs. Doyle paid \$780.25 directly to LA Citizens and the policy was reinstated. On October 26, 2021 a notice of

cancellation was issued for non-payment of premium, effective November 10, 2021. Mrs. Doyle paid \$645.25 on November 3, 2021. After an official consumer complaint was submitted to the LA Department of Insurance by Mrs. Doyle, you submitted a \$2,698.00 premium payment to LA Citizens. There is still an outstanding premium balance of \$183.50 on Mrs. Doyle's policy.

You have failed to account for \$278.00 of premium payment given to you by Mrs. Doyle. You incurred \$195.00 in unnecessary application fees on Mrs. Doyle's behalf by your failure to submit premium or required documentation. Mrs. Doyle was unaware that her property was uninsured during most of 2021 because of your actions.

C. Jupiter

You represented Carol Jupiter as her insurance producer with obtaining a homeowner's insurance policy from Maison Insurance Company ("Maison"). The policy was to go into effect on October 1, 2020 and expire on October 1, 2021. Ms. Jupiter paid Citywide \$3,175.00 for the Maison Policy. You issued a check to Maison in the amount of \$1,900.00 for Ms. Jupiter's policy. You never submitted the remainder of the premium. On April 13, 2021, Maison issued a Notice of Cancellation on the policy. Ms. Jupiter's policy cancelled on April 28, 2021 for non-payment of premium.

Ms. Jupiter's property sustained damages from Hurricane Ida, and she attempted to file a claim. On October 22, 2021, Maison informed Ms. Jupiter that her policy was cancelled because of non-payment of premium. Ms. Jupiter presented Maison with the proof of payment of the \$3,175.00 premium issued to Citywide for her policy. Both Ms. Jupiter and Maison attempted to contact you several times, but initially could not reach you.

On November 2, 2021, you made an online payment in Ms. Jupiter's name for \$1,370.00 that would cover the remaining premium due on Ms. Jupiter's policy. That payment was returned due to insufficient funds in your account.

You have failed to remit to Maison \$1,275.00 of the total premium payment you collected from Ms. Jupiter for the purchase of her policy of insurance.

The Louisiana Insurance Code, Title 22, R.S. 22:1 et seq. at §2. states:

§ 2. Insurance regulated in the public interest

- (1) Insurance is an industry affected with the public interest and it is the purpose of this Code to regulate that industry in all its phases. [I]t shall be the duty of the commissioner of insurance to administer the provisions of this Code.

La. R.S. 22:18 maintains in pertinent part:

§18. Suspension or revocation of insurer's licenses; fines; orders

- A. The commissioner of insurance may, as a penalty, in accordance with R.S. 49:961, refuse to renew, or may suspend, or revoke the certificate of authority or license of an insurer, person, or entity violating any of the provisions of this Code, or in lieu of suspension or revocation of a certificate or license duly issued, the commissioner may levy a fine not to exceed one thousand dollars for each violation per insurer, person, or entity, up to one hundred thousand dollars aggregate for all violations in a calendar year per insurer, person, or entity, when such violations warrant the refusal, suspension, or revocation of such certificate or license, or the imposition of the fine. The commissioner is also authorized to order any insurer, person, or entity to cease and desist any such action that violates any provision of this code.

Pursuant to La. R.S. 22:1554, the Commissioner is authorized to take certain regulatory actions against any person who is ... charged with a violation of this Part of Chapter 5, Producers and Other Regulated Entities Part I. Producers. These actions are designed to assist the Commissioner in administering the provisions of the Insurance Code.

La. R.S. 22:1554 maintains in pertinent part:

§ 1554. License denial, nonrenewal, or revocation

- A. The commissioner may place on probation, suspend, revoke, or refuse to issue, renew, or reinstate an insurance producer license, or may levy a fine not to exceed five hundred dollars for each violation occurring, up to ten thousand dollars for each violation aggregate for all violations in a calendar year per applicant or licensee, or any combination of actions, for any one or more of the following causes:

(3) The failure to account for or remit any premiums, monies, or properties belonging to another which come into the possession of the applicant in the course of doing insurance business, or improperly withholding, misappropriating, converting, or failing to timely remit any premiums, monies, or properties received in the course of doing insurance business, whether such premiums, monies, or properties belonging to policyholders, insurers, beneficiaries, claimants, or others.

(4) Using fraudulent, coercive, or dishonest practices or misrepresentation, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business such as might endanger the public.

(6) Having admitted or been found to have committed any insurance unfair trade practice under R.S. 22:1961 et seq. or fraud under R.S. 22:1964 et seq.

(10) Forging another's name to an application for insurance or to any document related to an insurance transaction.

(14) The violation of any insurance laws of the United States, this state or any state, province, district, or territory, or violating any lawful rule, regulation, subpoena, or order of the commissioner of insurance or of the insurance officials of another state.

D. The license of a business entity may be suspended or revoked, or renewal or reinstatement thereof may be refused, or a fine may be levied, with or without suspension, revocation, or refusal to renew a license, if the commissioner finds, in accordance and compliance with La. R.S. 49:961, that an individual licensee's violation was known or should have been known by one or more of the partners, officers, or managers acting on behalf of the business entity and the violation was not reported to the Department of Insurance and no corrective action was undertaken timely. Any such suspension or revocation of a license, or refusal to renew or reinstate a license, shall include all lines of insurance for which the licensee was authorized.

La. R.S. 22:1562 maintains in pertinent part:

§ 1562. Prohibited acts

D. (1) No person licensed as, or representing himself to be, an insurance producer shall receive anything of value as premium payment or commission for an insurance policy rider, binder, or plan without making a bona fide application to an insurer for an insurance policy.

(2) No person licensed as, or representing himself to be, an insurance producer shall fail to account for or remit any premiums, monies, or properties belonging to another which come into the possession of the applicant in the course of doing insurance business, or improperly withholding, misappropriating, converting, or failing to timely remit any premiums, monies, or properties received in the course of doing insurance business, whether such premiums, monies or properties belong to policyholders, insurers, beneficiaries, claimants, or other.

La. R.S. 22:1923 maintains in pertinent part:

§ 1923. Definitions

(2) "Fraudulent insurance act" shall include but not be limited to acts or omissions committed by any person who, knowingly and with intent to defraud:

(d) Diverts, attempts to divert, or conspires to divert funds of an insurer, reinsurer, or other entity regulated under the laws of this state, or other persons in connection with:

(i) The transaction of insurance or reinsurance.

(h) Manufactures, sells, distributes, presents, or causes to be presented a fraudulent proof of insurance card or document.

La. R.S. 22:1924 maintains in pertinent part:

§ 1924 Prohibited activities and sanctions

- A. (1) Any person who, with the intent to injure, defraud, or deceive any insurance company, or the Department of Insurance, or any insured or other party in interest, or any third-party claimant commits any of the acts specified in Paragraph (2) or (3) of this Subsection is guilty of a felony and shall be subjected to a term of imprisonment, with or without hard labor, not to exceed five years, or a fine not to exceed five thousand dollars, or both, on each count and payment of restitution to the victim company of any insurance payments to the defendant that the court determines was not owed and the costs incurred by the victim company associated with the evaluation and defense of the fraudulent claim, including but not limited to the investigative costs, attorney fees, and court costs. However, if the benefit pursued does not exceed one thousand dollars, the term of imprisonment shall not exceed six months, or the fine shall not exceed one thousand dollars, or both, on each count.

(2) The following acts shall be punishable as provided in Paragraph (1) of this Subsection:

- (a) Committing any fraudulent insurance act as defined in R.S. 22:1923.

La. R.S. 22:1964 maintains in pertinent part:

§ 1964. Methods, acts, and practices which are defined as unfair or deceptive

The following are declared to be unfair methods of competition and unfair or deceptive acts or practices in the business of insurance:

(12) Any violation of any prohibitory law of this state.

(13) Fraudulent insurance act. A fraudulent insurance act is one committed by a person who knowingly and with intent to defraud presents, causes to be presented, or prepares with knowledge or belief that it will be presented to or by an insurer, purported insurer, producer, or any agent thereof, any written statement as part of, or in support of, or in opposition to an application for the issuance of, or the rating of an insurance policy for commercial insurance, or a claim for payment or other benefit pursuant to an insurance policy for commercial or personal insurance which he knows to contain materially false information concerning any fact material thereto; or conceal for the purpose of misleading information concerning any fact material thereto.

The Louisiana Insurance Code, Title 22, La. R.S. 22:1 et seq., authorizes the Commissioner to investigate the affairs and professional conduct of every person engaged in the business of insurance to determine whether such person has been or is engaged in any unfair or deceptive act or practice prohibited by the Louisiana Insurance Code. It is determined that Vilia Ann Ragas and Citywide Insurance Agency has committed the violations of the Louisiana Insurance Code as listed above.

Vilia Ann Ragas
Producer License #181119
Citywide Insurance Agency Inc.
Producer License #280097
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VIOLATIONS:

While conducting insurance business in Louisiana as a licensed producer, Vilia Ragas and Citywide Insurance Agency acted with intent and full knowledge of the aforementioned facts by withholding premium monies and failing to submit them to the insurer. These actions constitute violations of La. R.S. 22:1554(A)(3), (4), (6), (10) and (14); La. R.S. 22:1562(D)(1) and (2); La. R.S. 22:1924(A)(2)(a) as defined by La. R.S. 22:1923(2)(a)(i) and (h); and La. R.S. 22:1964(12) and (13).

BE ADVISED:

COMMISSIONER'S ACTION:

As a result of the investigation and documentation in possession of the LDI, and in accordance with La. R.S. 22:18, La. R.S. 22:1554(A), La. R.S. 22:1969 and La. R.S. 49:961(C), determination has been rendered that you are in violation of the statutes listed above and the public health, safety, or welfare imperatively requires emergency action, therefore, you are a danger to the insurance buying public to such a degree that the Louisiana Commissioner of Insurance hereby orders you, **Vilia Ann Ragas**, and **Citywide Insurance Agency Inc.** to **CEASE AND DESIST** from conducting the business of insurance, and Louisiana Insurance Producer Licenses, Numbers **181119** and **280097** are hereby **SUSPENDED** effective immediately.

Additionally, Louisiana Insurance Producer License Number **181119** issued to **Vilia Ann Ragas** and Louisiana Insurance Producer License Number 280097 issued to Citywide Insurance Agency Inc. are hereby **REVOKED** effective thirty (30) days from issuance of this Notice. The Louisiana Commissioner of Insurance hereby imposes a **FINE** upon **Vilia Ann Ragas** in the amount of **(\$2,500.00) dollars** and a **FINE** upon **Citywide Insurance Agency Inc.** in the amount of **(\$2,500.00) dollars** payable immediately.

YOUR ACTION:

Be advised that this constitutes an administrative action and that it will be reported to the National Insurance Producer Registry. You may need to report this administrative action to other states in which you hold an active license. Contact that state's insurance department if you are unsure of the requirements.

Please remit the aggregate **\$5,000.00** fine payment and a copy of this notice to:

Louisiana Department of Insurance
Attention: Accounts Receivable
P.O. Box 94214
Baton Rouge, LA 70804-9214

Pursuant to La. R.S. 22:2191(A)(2), any person aggrieved by an act of the Commissioner may request a hearing. You must make a written demand for an appeal within thirty (30) days from the date of this notice. Failure to file a written demand for an appeal within thirty (30) days of this notice will preclude your right to an administrative hearing. Pursuant to La. R.S. 22:2191(B), your written demand for an appeal (1) shall reference the particular sections of the statutes and rules involved; (2) shall provide a short and plain statement of the matters asserted for review; and (3) shall attach a copy of the order or decision that you are appealing. Appealing this notice does not stay the action of the Commissioner of Insurance. Pursuant to La. R.S. 22:2204 you must request and be granted a stay of this action by the Division of Administrative Law. Your request for a stay may be included in your appeal. Your written demand for an appeal shall be filed with the Louisiana Department of Insurance at the addresses below:

Louisiana Department of Insurance
Attn: J. David Caldwell, Executive Counsel
P. O. Box 94214
Baton Rouge, LA 70804-9214

Telephone: (225) 342-4673
Fax: (225) 342-1632

File in Person at:

1702 N. Third Street
Baton Rouge, LA 70802

Signed in Baton Rouge, Louisiana this 3rd day of December 2021.

JAMES J. DONELON
COMMISSIONER OF INSURANCE
STATE OF LOUISIANA

BY: _____


Matthew Stewart
Deputy Commissioner
Divisions of Fraud & Enforcement
Louisiana Department of Insurance
Telephone: (225) 219-5819

Vilia Ann Ragas
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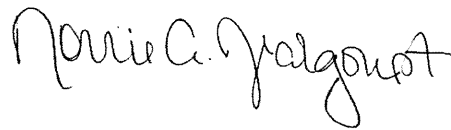
CERTIFICATE OF SERVICE

Article # **7020 0640 0001 4919 5013**

Article # **7020 0640 0001 4919 5020**

Article # **7020 0640 0001 4919 5044**

I hereby certify that I have this day served the foregoing document upon **Vilia Ann Ragas** and **Citywide Insurance Agency** by mailing a copy thereof properly addressed with postage prepaid, this 3rd day of December 2021.



Norrie A. Falgoust, Compliance Investigator