

RCV'D MT CSI  
STATE AUDITORS OFFICE  
2022 SEP 13 A 11: 00

**BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE,  
OFFICE OF THE MONTANA STATE AUDITOR**

IN THE MATTER OF

SBM Ventures LLC, dba Tech 1 LLC,

Respondent.

Case No. INS-2022-00301

**CONSENT AGREEMENT AND  
FINAL ORDER**

This Consent Agreement (Agreement) and Final Order (Order) are entered into by the Office of the Montana State Auditor, Commissioner of Securities and Insurance (CSI), acting pursuant to the authority of the Montana Insurance Code, Mont. Code Ann. § 33-1-101 *et seq.* (Code), and SBM Ventures, LLC, dba Tech 1 LLC, (Respondent).

**RECITALS**

WHEREAS, Respondent is a limited liability company organized under the laws of the State of Texas and doing business as Tech 1 LLC. Respondent is engaged in the business of automobile repairs by performing paint-less dent repairs on automobiles;

WHEREAS, Respondent was engaged in the business of automobile repair at 2437 US 93 Kalispell, Montana 59901;

WHEREAS, on or about August 6, 2022, Respondent advertised or offered a coupon, credit, or rebate to pay all or part of an insurance deductible under a casualty or property insurance policy;

WHEREAS, the advertisement or offer of a coupon, credit, or rebate to pay all or part of an insurance deductible under a casualty or property insurance policy by a person engaged in the business of automobile repair is a violation of Mont. Code Ann. § 30-14-225;

**WHEREAS, CSI and Respondent agree that the best interests of the parties and the public is served by entering into the Agreement.**

**NOW, THEREFORE, in consideration of the mutual undertakings and agreements contained in this Agreement, the CSI and Respondent hereby agree to settle this matter pursuant to the following terms and conditions:**

**STIPULATIONS AND CONSENTS**

**1. Respondent admits to and agrees with the Recitals set forth above and stipulates and consents to the following:**

**a. Respondent shall pay a fine of \$1,000.00 to the state of Montana within ninety (90) days of the date of the Final Order in this matter. Payment shall be made by check or money order payable to "The State of Montana" sent to the Commissioner of Securities and Insurance, Office of the Montana State Auditor, Attn: Brandy Morrison, Paralegal, 840 Helena Avenue, Helena, MT 59601.**

**b. Respondent specifically and affirmatively waives a contested case hearing and its right to appeal under the Montana Administrative Procedure Act (MAPA), including Title 2, chapter 4, part 7, of the Montana Code Annotated; and elects to resolve this matter on the terms and conditions set forth herein.**

**c. Respondent fully and forever releases and discharges the CSI from any and all actions, claims, causes of action, demands, or expenses for damages or injuries, whether asserted or not asserted, known or unknown, foreseen or unforeseen, arising out of or related to the Recitals or this Agreement.**

**2. All parties to this Agreement stipulate and consent as follows:**

**a. The Commissioner has jurisdiction over Respondent and the subject matter of this matter pursuant to Mont. Code Ann. § 33-1-101 *et seq.***

**b. The Commissioner agrees not to pursue further civil or administrative action against Respondent regarding CSI's allegations asserted in this matter for so long as Respondent complies with the terms of this Agreement.**

c. This agreement is entered into without adjudication of any issue, law, or fact. It is entered into solely for the purpose of resolving CSI's allegations and is not intended to be used for any other purpose. For any person or entity not a party to this Agreement, this Agreement does not limit or create any private rights or remedies against the Respondent, limit or create liability of Respondent, or limit or create defenses of Respondent to any claims.

d. The applicable statute of limitations, set forth in Mont. Code Ann. § 33-1-107, is tolled for one year from the date of execution of this Agreement with regard to the allegations asserted in this matter. In the event Respondent fails to comply with the terms of this Agreement at any time during the one-year tolling period, CSI may pursue additional administrative action against Respondent.

e. This Agreement constitutes the entire agreement between the Commissioner and Respondent, and no other promises or agreements, either express or implied, have been made by the Commissioner or by any member, officer, agent or representative of CSI to induce Respondent to enter into this Agreement.

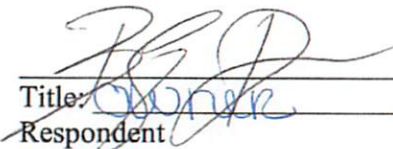
f. This Agreement may not be modified orally, and any subsequent modifications to this Agreement must be mutually agreed upon in writing to be effective.

g. This Agreement shall be incorporated into and made a part of the attached Final Order issued by the Commissioner herein.

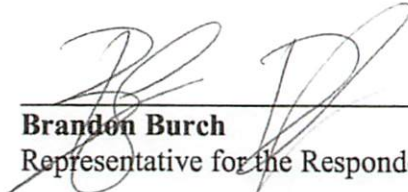
h. This Agreement shall be effective upon signing of the Final Order.

i. This Agreement is a public record under Montana law and, as such, may not be sealed or otherwise withheld from the public.

DATED this 1<sup>st</sup> day of September 2022.

  
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Title: Owner  
Respondent


DATED this 15<sup>th</sup> day of September, 2022.



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**Brandon Burch**  
Representative for the Respondent

DATED this 13<sup>th</sup> day of September, 2022.



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**KEVIN BRATCHER**  
Legal Counsel for CSI

**FINAL ORDER**

Pursuant to the authority vested by Mont. Code Ann. § 2-4-603, and § 33-1-101 *et seq.*, and upon review of the foregoing Consent Agreement, and good cause appearing,

IT IS HEREBY ORDERED that the foregoing Consent Agreement between the Commissioner and Respondent is adopted as if set forth fully herein.

DATED this 15<sup>th</sup> day of September, 2022.



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**TROY DOWNING**  
Commissioner of Securities and Insurance,  
Montana State Auditor