

MAY 19 2006

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY 

In the Matter of:)
R B L, INC., dba)
SELECT AUTO INSURANCE)
Respondent.)

No. 06A-076-INS
CONSENT ORDER

The State of Arizona Department of Insurance ("Department") has received evidence that R B L, Inc., dba Select Auto Insurance ("Respondent") violated provisions of Title 20, Arizona Revised Statutes. Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent is, and was at all material times licensed as a resident accident, life, health and property & casualty insurance producer, Arizona license number 104933, which license expires January 31, 2007.
2. Respondent was not licensed, at all material times, as either a resident or non-resident surplus lines broker or Mexican insurance surplus lines broker.
3. Respondent was not exempt from licensure as either a resident or non-resident surplus lines broker or Mexican insurance surplus lines broker.
4. Between January 2001 and April 2006, Respondent transacted Mexican Surplus Lines insurance without a license.

CONCLUSIONS OF LAW

1. The Director has jurisdiction over this matter.

1 2. Respondent's conduct as described above constitutes failure to comply with any
2 requirement of Title 20, Article 5 within the meaning of A.R.S. §20-418(A) (1).

3 3. Respondent's conduct, as alleged above, constitutes transacting Mexican
4 Surplus Lines insurance without a license, within the meaning of A.R.S. §20-282 and 411.01.

5 4. Insurance contracts procured as surplus lines coverage are fully valid and
6 enforceable as to all parties and shall be recognized in all matters in the same manner as like
7 contracts issued by authorized insurers, within the meaning of A.R.S. § 20-410(A).

8 5. Grounds exist for the Director to deny or suspend, revoke, or refuse to renew
9 any surplus lines broker's license and, in addition or in lieu thereof, may levy a civil penalty
10 and/or order restitution pursuant to A.R.S. §§20-418(A).

11 6. Grounds exist for the Director to order Respondent to cease and desist from
12 continuing the violation, engaging in the violation or doing any act in furtherance of the
13 violation within the meaning of A.R.S. §401.02(A).

14 **ORDER**

15 IT IS HEREBY ORDERED THAT

16 1. Respondent shall immediately cease and desist from soliciting Mexican Surplus
17 Lines insurance, taking or receiving any application for Mexican Surplus Lines insurance,
18 taking or collecting any premium, commission, or any other consideration or service fee for
19 any Mexican Surplus Lines insurance contract, or otherwise transacting Mexican Surplus Lines
20 insurance business from offices or by personnel or facilities located in the State of Arizona.

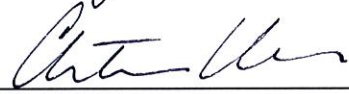
21 2. Respondent shall pay a civil penalty in the amount of \$1,000 to the Director for
22 deposit in the State General Fund in accordance with A.R.S. § 20-220(B).

23

1 3. Respondent is prohibited from maintaining any action in any court of this state to
2 enforce any right, claim or demand arising out of the transaction of the business of Mexican
3 Surplus lines insurance until and unless Respondent obtains either a surplus lines or Mexican
4 insurance surplus lines license as set forth in A.R.S. § 20-405.

5 4. This Order shall become effective immediately and shall remain in full force and
6 effect until otherwise stayed, modified, vacated or set aside.

7 DATED AND EFFECTIVE this 18th day of May, 2006.

8
9 
10 _____
11 CHISTINA URIAS
12 Director of Insurance

13 **CONSENT TO ORDER**

14 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
15 and Order.

16 2. Respondent admits the jurisdiction of the Director of Insurance, State of Arizona,
17 and admits the foregoing Findings of Fact and consents to the entry of the foregoing
18 Conclusions of Law and Order.

19 3. Respondent is aware of its right to notice and a hearing at which it may be
20 represented by counsel, present evidence and examine witnesses. Respondent irrevocably
21 waives its right to such notice and hearing and to any court appeals relating to this Consent
22 Order.

23 4. Respondent states that no promise of any kind or nature whatsoever, except as
expressly contained in this Consent Order, was made to it to induce it to enter into this
Consent Order and that it has entered into this Consent Order voluntarily.


1 5. Respondent acknowledges that the acceptance of this Consent Order by the
2 Director is solely to settle this matter against it and does not preclude any other agency,
3 officer, or subdivision of this state from instituting civil or criminal proceedings as may be
4 appropriate now or in the future nor does it preclude the Department from instituting
5 proceedings not related to this matter as may be appropriate now or in the future.

6 6. Robert Beryl Lingscheit. is President of R B L Inc., and as such is authorized to
7 sign this Consent Order on its behalf.

8 R.B.L. Inc.

9 5/7/06
Date

By:


Robert Beryl Lingscheit, President

President
Robert Beryl Lingscheit
President

11 COPIES of the foregoing mailed/delivered
12 this 19th day of May, 2006, to:

13 RBL, Inc.
14 (dba) Select Auto Insurance
15 Robert Lingscheit
16 2301 W. Glendale Ave. #7
Phoenix, AZ 85021

17 Mary E. Kosinski, Exec. Assistant for Reg. Affairs
18 Catherine M. O'Neil, Consumer Legal Affairs Officer
19 Terry Cooper, Assistant Director
20 Steve Fromholtz, Licensing Supervisor
21 Arnold Sniegowski, Investigations Supervisor
22 Mark Denman, Investigator
23 Department of Insurance
2910 North 44th Street, Suite 210
Phoenix, Arizona 85018


Curvey Walters Burton