STATE OF ARIZONA 1 2 DEPARTMENT OF INSURANCE In the Matter of: 3 No. 06A-178-INS DIANA ROSE DELGADO 4 CONSENT ORDER 5 Hearing 9/6/07, 9:00 a.m. Respondent **ALJ Lewis Kowal** 6 7 The State of Arizona Department of Insurance ("Department") has received evidence 8 that Diana Rose Delgado has violated provisions of Title 20, Arizona Revised Statutes 9 ("A.R.S."). Respondent wishes to resolve this matter without the commencement of formal 10 proceedings, and admits the following Findings of Fact are true and consents to entry of the 11 following Conclusions of Law and Order. 12 FINDINGS OF FACT 13 1. Diana Rose Delgado ("Delgado" or "Respondent") is, and was at all material 14 times licensed as a resident credit producer, Arizona license number 204820, which license 15 expires September 30, 2008. 16 2. Delgado's addresses of record with the Department are: c/o Wells Fargo. 2655 17 N. Power Rd., Mesa, Arizona 85215 (business); 1222 W. Oriole Way, Chandler, Arizona 18 85248 (mailing and residence). 19 3. On or about July 14, 2005, the Department issued Delgado an insurance licensel 20 as a resident credit producer, license number 204820. 21 4. On September 28, 2005, the Department notified Delgado by mail at her 22 mailing/residence address of record, return receipt requested, that her fingerprint card had

been processed and returned by the Federal Bureau of Investigation ("FBI") as illegible. The

Department requested a replacement set of fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or before November 2, 2005.

- On December 28, 2005, the Department sent a second letter to Delgado at her mailing/residence address of record, return receipt requested, notifying her that she had fifteen
 days to submit a full set of fingerprints to the Department.
- 6. On March 9, 2006, the Department sent a third letter to Delgado at her mailing/residence address of record, notifying her that her second set of fingerprints had been returned as illegible and that she failed to return the Illegible Fingerprint Replacement Form with her fingerprint submission. The letter also requested a third set of fingerprints, a fee of \$29.00 and the Illegible Fingerprint Replacement Form. Delgado had until March 30, 2006 to return the required fee and information.
- 7. To date, Delgado has not submitted a full set of fingerprints, the \$29.00 fee or the Illegible Fingerprint Replacement Form to the Department.
- 8. On July 24, 2007, the Department set a hearing and issued a Notice of Hearing for revocation of Delgado's license.

CONCLUSIONS OF LAW

- 1. The Director has jurisdiction over this matter.
- 2. Respondent's conduct as described above constitutes the violation of the requirement that an applicant submit a full set of fingerprints to the Department within the meaning of A.R.S. § 20-285(F)(2).
- 3. Respondent's conduct as described above constitutes providing incomplete information in the license application within the meaning of A.R.S. § 20-295(A)(1).

4.	Respondent's conduct as described above constitutes the violation of any
provision of A	A.R.S. Title 20 or any rule, subpoena or order of the director within the meaning o
A.R.S.§20-29	95(A)(2).

5. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§20-295(A)&(F).

ORDER

IT IS HEREBY ORDERED THAT:

- 1. Respondent may surrender her license #204820.
- 2. The hearing, Docket # 06A-178-INS, scheduled for September 6, 2007 at 9:00 a.m. in front of ALJ Kowal is vacated.

DATED AND EFFECTIVE this 5th day of September 2007.

CHISTINA URIAS Director of Insurance

CONSENT TO ORDER

- Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- Respondent admits to the jurisdiction of the Director of Insurance, State of
 Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing
 Conclusions of Law and Order.

- 3. Respondent is aware of Respondent's right to notice and a hearing at which Respondent may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives the right to such notice and hearing and to any court appeals relating to this Consent Order.
- 4. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to induce Respondent to enter into this Consent Order and that Respondent has entered into this Consent Order voluntarily.
- 5. Respondent acknowledges that the acceptance of this Consent Order by the Director is solely to settle this matter against Respondent and does not preclude any other agency, officer, or subdivision of this state including the Department from instituting civil or criminal proceedings as may be appropriate now or in the future not related to this matter.
- 6. Respondent acknowledges that this Consent Order is an administrative action that will be reported to the NAIC and that she may have to report this administrative action on any future licensing applications either to the Department or other states' Departments of Insurance.

9-5-07 Date

Diana Rose Delgado, Vicense #204820

COPIES of the foregoing mailed/delivered this 6th day of September, 2006, to:

Diana Rose Delgado 1222 W. Oriole Way Chandler, Arizona 85248 Respondent

Mary E. Kosinski, Exec. Assistant for Regulatory Affairs Mary Butterfield, Assistant Director

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1	Catherine M. O'Neil, Consumer Legal Affairs Officer Steven Fromholtz, Licensing Supervisor Department of Insurance 2910 North 44 th Street, Suite 210 Phoenix, Arizona 85018
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4	Lewis D. Kowal, Administrative Law Judge Office of Administrative Hearings
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