

APR 6 2007

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE  
BY 

In the Matter of:

**RONALD M. ROSENFELD,**

Respondent.

No. 07A-069-INS

**CONSENT ORDER**

The State of Arizona Department of Insurance ("Department") has received evidence that Ronald M. Rosenfeld ("Respondent" or "Rosenfeld") 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. On March 8, 2007, Rosenfeld applied for an Arizona non-resident producer license for the life and accident/health/sickness lines of authority. Rosenfeld submitted his application through the National Association of Insurance Commissioners ("NAIC") online system called NIPR.

2. Rosenfeld's addresses of record with the Department are: 2 Plantingfield Rd., Roslyn Heights, New York 11577 (residence); 585 Stewart Ave., Suite 318, Garden City, New York 11530 (business and mailing).

3. In the "Background Questions" section of the application, Question 2 asks: Have you or any business in which you are or were an owner, partner, officer or director, or member or manager of a limited liability company, ever been involved in an administrative

1 proceeding regarding any professional or occupational license, or registration. Rosenfeld  
2 responded "No" to the question.

3 4. On October 24, 2006, the State of New York Insurance Department filed an  
4 administrative action against Rosenfeld for demonstrating lack of fitness or trustworthiness for  
5 authorizing the use of his name by another agent for purposes of assisting that other agent in  
6 the disguising of the sale of a life insurance policy as if the policy had been sold in another  
7 state, when in fact, it had been sold in New York by an insurer not licensed to do business in  
8 New York. The State of New York Insurance Department fined Rosenfeld \$750.

9 **CONCLUSIONS OF LAW**

- 10 1. The Director has jurisdiction over this matter.
- 11 2. Respondents' conduct as described above constitutes providing incorrect,  
12 misleading, incomplete or materially untrue information in the license application, within the  
13 meaning of A.R.S. §20-295(A)(1).
- 14 3. Respondent's conduct as described above constitutes demonstrating  
15 incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this  
16 state or elsewhere, within the meaning of A.R.S. §20-295(A)(8).
- 17 4. Grounds exist for the Director to suspend, revoke, or refuse to renew  
18 Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to  
19 A.R.S. §§20-295(A) and (F).

20 **ORDER**

21 IT IS HEREBY ORDERED THAT

- 22 1. Rosenfeld shall pay a \$100 civil penalty to the Department.
- 23 ...



1 DATED AND EFFECTIVE this 5<sup>th</sup> day of April, 2007.

2  
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4   
5 CHISTINA URIAS  
6 Director of Insurance

7 **CONSENT TO ORDER**

8 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law  
9 and Order.

10 2. Respondent admits the jurisdiction of the Director of Insurance, State of Arizona,  
11 and admits the foregoing Findings of Fact and consents to the entry of the foregoing  
12 Conclusions of Law and Order.

13 3. Respondent is aware of his right to notice and a hearing at which he may be  
14 represented by counsel, present evidence and examine witnesses. Respondent irrevocably  
15 waives his right to such notice and hearing and to any court appeals relating to this Consent  
16 Order.

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

20 5. Respondent acknowledges that the acceptance of this Consent Order by the  
21 Director is solely to settle this matter against him and does not preclude any other agency,  
22 including the Department, officer, or subdivision of this state or this agency from instituting civil  
23 or criminal proceedings as may be appropriate now or in the future.

4-2-07  
Date

  
Ronald M. Rosenfeld

1 COPIES of the foregoing mailed/delivered  
this 6th day of April, 2007, to:

2 Ronald M. Rosenfeld  
3 2 Plainingfield Rd.  
4 Roslyn Heights, New York 11577  
Respondent

5 Ronald M. Rosenfeld  
6 585 Stewart Ave., Suite 318  
7 Garden City, New York 11530  
Respondent

8 Mary E. Kosinski, Exec. Assistant for Reg. Affairs  
9 Catherine M. O'Neil, Consumer Legal Affairs Officer  
10 Steve Fromholtz, Licensing Supervisor  
Department of Insurance  
2910 North 44<sup>th</sup> Street, Suite 210  
Phoenix, Arizona 85018

11   
12 Curvey Walters Burton