STATE OF ARIZONA FILED

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JUN 1 2007

DEPARTMENT OF INSURANCE

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BY	

In the Matter of:	
JOSE JESUS GONZALEZ and GONZCO ENTERPRISES, LLC dba) No. 07A-104-INS)
GONZCO INSURANCE	CONSENT ORDER
Respondents.	,))

The State of Arizona Department of Insurance ("Department") has received evidence that Jose Jesus Gonzalez and Gonzco Enterprises, LLC dba Gonzco Insurance, ("Respondents") violated provisions of Title 20, Arizona Revised Statutes. Respondents wish to resolve this matter without the commencement of formal proceedings, and admit the following Findings of Fact are true and consent to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

- 1. Jose Jesus Gonzalez ("Gonzalez") is, and was at all material times licensed as an Arizona resident accident/health, life, property and casualty insurance producer, Arizona license number 73663, which license expires December 31, 2008.
- 2. Gonzalez is, and was at all material times owner and operator of Gonzco Enterprises, LLC dba Gonzco Insurance. Gonzco Enterprises, LLC is an Arizona Limited Liability Company incorporated on January 2, 2004 which is, and was at all material times licensed as an Arizona resident property and casualty insurance producer, Arizona license number 170136, which license expires February 28, 2010.

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3. As a general business practice, Respondents charged a \$40.00 service fee on all new policies they wrote. Between January 1, 2004 and March 1, 2006, Respondents charged and collected \$11,680.00 in service fees on 292 policies.

CONCLUSIONS OF LAW

- 1. The Director has jurisdiction over this matter.
- 2. Respondent's conduct as described above constitutes a violation of any provision of Title 20, within the meaning of A.R.S. § 20-295(A)(2).
- 3. Respondent's conduct, as alleged above, constitutes charging or receiving a fee or service charge in addition to the premium charged for services customarily provided in the transaction of insurance without filing it with and receiving approval from the Department, within the meaning of A.R.S. §20-465.
- 4. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondents' insurance licenses, impose a civil penalty and/or order restitution pursuant to A.R.S. §§20-295(A), (B) and (F).

ORDER

IT IS HEREBY ORDERED THAT

 Respondents shall pay a civil penalty in the amount of \$3,500.00 to the Director for deposit in the State General Fund in accordance with A.R.S. § 20-295(G).

DATED AND EFFECTIVE this 31st day of May, 2007.

CHRISTINA URIAS
Director of Insurance

CONSENT TO ORDER

- 1. Respondents have reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- Respondents admit the jurisdiction of the Director of Insurance, State of Arizona, and admit the foregoing Findings of Fact and consents to the entry of the foregoing
 Conclusions of Law and Order.
- 3. Respondents are aware of their right to notice and a hearing at which they may be represented by counsel, present evidence and examine witnesses. Respondents irrevocably waive their right to such notice and hearing and to any court appeals relating to this Consent Order.
- 4. Respondents state that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to them to induce them to enter into this Consent Order and that they have entered into this Consent Order voluntarily.
- 5. Respondents acknowledge that the acceptance of this Consent Order by the Director is solely to settle this matter against them and does not preclude any other agency, including the Department, officer, or subdivision of this state or this agency from instituting civil or criminal proceedings as may be appropriate now or in the future.
- 6. Gonzalez represents that he is owner and operator of Gonzco Enterprises, LLC dba Gonzco Insurance, and as such is authorized to enter this Consent Order on its behalf.

<u>5/24/07</u> Date

José Jesus González, License Number 73663

Gonzco Enterprises, LLC., License #170136

5/24/07 Date

Jose Jesus Gonzalez, Owner and Operator

1	COPIES of the foregoing mailed/delivered this _lst_ day of, 2007, to:
2	This <u>list</u> day or <u>June</u> , 2007, to.
3	Jose Gonzales 3060 W. Calle Escarpada
4	Tucson, AZ 85746 Respondent
5	Gonzco Enterprises , LLC
6	dba Gonzco Insurance 4701 S. 6 th Ave.
7	Tucson, AZ 85714 Respondent
8	Mary E. Kosinski, Exec. Assistant for Reg. Affairs Catherine M. O'Neil, Consumer Legal Affairs Officer Terry Cooper, Assistant Director Steve Fromholtz, Licensing Supervisor Arnold Sniegowski, Investigations Supervisor
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11	Mark Denman, Investigator Department of Insurance
12	2910 North 44 th Street, Suite 210 Phoenix, Arizona 85018
13	Rust
14	Curvey Walters Burton
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