

OCT 24 2007

DEPT OF INSURANCE
BY CB

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of:)
)
4 **JOANNE ELIZABETH BROWN**)
(License number 882466))
)
)
7 Respondent)
_____)

No. 07A-172-INS
CONSENT ORDER
Hearing 11/21/07, 9:00 a.m.
ALJ Diane Mihalsky

The State of Arizona Department of Insurance ("Department") has received evidence that **Joanne Elizabeth Brown** has violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). 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. Joanne Elizabeth Brown ("Respondent") is, and was at all material times licensed as a resident personal lines producer, Arizona license number 882466 which expires August 31, 2010.
2. Respondent's mailing, business and residence addresses of record with the Department are: c/o USAA, One Norterra Dr., Phoenix, Arizona 85085 (business), 6201 W. Olive Ave., #2090, Glendale, Arizona 85302 (mailing and residence).
3. On or about January 9, 2007, the Department issued Respondent an insurance license as a resident personal lines producer, Arizona license number 882466.
4. On April 17, 2007, the Department notified Respondent by mail at her mailing 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

1 a replacement set of fingerprints along with a completed "Illegible Fingerprint Replacement
2 Form" on or before May 22, 2007.

3 5. On June 25, 2007, the Department sent a second letter to Respondent at her
4 mailing address of record, return receipt requested, notifying her that she had fifteen (15) days
5 to submit a full set of fingerprints to the Department.

6 6. On July 6, 2007, the Post Office returned the signed green card for the June 25,
7 2007 letter to the Department.

8 7. To date, Respondent has not submitted a full set of fingerprints to the
9 Department.

10 8. On October 10, 2007, the Department set a hearing and issued a Notice of
11 Hearing for revocation of Respondent's license.

12 **CONCLUSIONS OF LAW**

13 1. The Director has jurisdiction over this matter.

14 2. Respondent's conduct as described above constitutes the violation of the
15 requirement that an applicant submit a full set of fingerprints to the Department within the
16 meaning of A.R.S. § 20-285(F)(2).

17 3. Respondent's conduct as described above constitutes providing incomplete
18 information in the license application within the meaning of A.R.S. § 20-295(A)(1).

19 4. Respondent's conduct as described above constitutes the violation of any
20 provision of A.R.S. Title 20 or any rule, subpoena or order of the director within the meaning of
21 A.R.S. §20-295(A)(2).

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

1 **ORDER**

2 IT IS HEREBY ORDERED THAT:

- 3 1. Respondent may surrender her license #882466.
- 4 2. The hearing, Docket # 07A-172-INS, scheduled for November 21, 2007 at 9:00
- 5 a.m. in front of ALJ Mihalsky is vacated.

6 DATED AND EFFECTIVE this 23rd day of October, 2007.

7 

8 CHRISTINA URIAS
9 Director of Insurance


10 **CONSENT TO ORDER**

- 11 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
- 12 and Order.
- 13 2. Respondent admits to the jurisdiction of the Director of Insurance, State of
- 14 Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing
- 15 Conclusions of Law and Order.
- 16 3. Respondent is aware of her right to notice and a hearing at which she may be
- 17 represented by counsel, present evidence and examine witnesses. Respondent irrevocably
- 18 waives her right to such notice and hearing and to any court appeals relating to this Consent
- 19 Order.
- 20 4. Respondent states that no promise of any kind or nature whatsoever, except as
- 21 expressly contained in this Consent Order, was made to her to induce her to enter into this
- 22 Consent Order and that she 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 her and does not preclude any other agency,
3 officer, or subdivision of this state including the Department from instituting civil or criminal
4 proceedings as may be appropriate now or in the future not related to this matter.

5 6. Respondent acknowledges that this Consent Order is an administrative action
6 that the Department will report to the National Association of Insurance Commissioners
7 (NAIC). Respondent further acknowledges that she must report this administrative action to
8 any and all states in which she holds an insurance license and must disclose this
9 administrative action on any license application.

10 10/19/07
~~10/19/07~~
Date



Joanne Elizabeth Brown, License #882466

12 COPIES of the foregoing mailed/delivered
13 this 24th day of October, 2007, to:

14 Joanne Elizabeth Brown
15 6201 W. Olive Ave., Apt. 2021
16 Glendale, Arizona 85302-4527
Respondent

17 Mary E. Kosinski, Exec. Assistant for Regulatory Affairs
18 Mary Butterfield, Assistant Director
19 Catherine M. O'Neil, Consumer Legal Affairs Officer
20 Steven Fromholtz, Licensing Supervisor
21 Department of Insurance
22 2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

23 Diane Mihalsky, Administrative Law Judge
Office of Administrative Hearings
1400 West Washington, Suite 101
Phoenix, AZ 85007

Lynette Evans

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2 Consumer Protection & Advocacy Section
3 1275 West Washington
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5 Curvey Walters Burton

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