

NOV 20 2007

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE  
BY CLB

In the Matter of: )  
)  
4 **CHELSEA JO LABARR** )  
**(License number 881638)** )  
)  
)  
6 )  
7 Respondent )

No. 07A-175-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 **Chelsea Jo LaBarr** 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. Chelsea Jo LaBarr ("Respondent") is, and was at all material times licensed as a resident property and casualty producer, Arizona license number 881638 which expires July 31, 2010.
2. Respondent's mailing, business and residence addresses of record with the Department are: Progressive Casualty Insurance Company, Allred Cotton Center – Bldg 4, 4425 E. Cotton Center Blvd., Phoenix, Arizona 85040 (business and mailing) and 10227 N. 32<sup>nd</sup> Ln., #206, Phoenix, Arizona 85051 (residence).
3. On or about December 28, 2006, the Department issued to Respondent an insurance license as a resident property and casualty producer, Arizona license number 881638.
4. On April 17, 2007, the Department notified Respondent by mail at her business address of record that her fingerprint card had been processed and returned by the Federal

1 Bureau of Investigation ("FBI") as illegible. The Department requested a replacement set of  
2 fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or before May  
3 22, 2007.

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

8 6. On July 6, 2007, the Post Office returned the signed green card for the June 25,  
9 2007 letter to Respondent's business address of record.

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

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

#### 14 **CONCLUSIONS OF LAW**

15 1. The Director has jurisdiction over this matter.

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

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

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

1 **ORDER**

2 IT IS HEREBY ORDERED THAT:

- 3 1. Respondent may surrender her license #881638.
- 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 20<sup>th</sup> day of November, 2007.

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9 CHRISTINA URIAS  
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.
- 23



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       11/19/07  
11       Date

10         
11       Chelsea Jo LaBarr, License #881638

12 COPIES of the foregoing mailed/delivered  
13 this 20th day of November, 2007, to:

14 Chelsea Jo LaBarr  
15 4102 W. Poinsettia  
16 Phoenix, Arizona 85029  
17 Respondent

18 Mary E. Kosinski, Exec. Assistant for Regulatory Affairs  
19 Mary Butterfield, Assistant Director  
20 Catherine M. O'Neil, Consumer Legal Affairs Officer  
21 Steven Fromholtz, Licensing Supervisor  
22 Department of Insurance  
23 2910 North 44<sup>th</sup> Street, Suite 210  
Phoenix, Arizona 85018

20 Diane Mihalsky, Administrative Law Judge  
21 Office of Administrative Hearings  
22 1400 West Washington, Suite 101  
23 Phoenix, AZ 85007

22         
23       Curvey Walters Burton