

APR 18 2008

DEPT OF INSURANCE
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STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

RICHARD F. GRANT, JR.,

Respondent.

No. 07A-179-INS

CONSENT ORDER

The State of Arizona Department of Insurance ("Department") has received evidence that **Richard F. Grant, Jr.**, ("Respondent") 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. On or about April 28, 2003, Respondent submitted a Uniform Application for Non-Resident Individual Insurance Producer License to the Arizona Department of Insurance ("Department"). Respondent listed a Vancouver, Washington, address as his residence address, and a P.O. Box in Carlsbad, California, as his mailing address.

2. On or about June 10, 2003, the Department issued Respondent a non-resident life producer, variable life, and variable annuities insurance producer's license, license number 154939, which expired on June 30, 2005.

3. On or about January 11, 2005, Respondent submitted an application ("2005 AZ application") for an Individual Resident Insurance License to the Department. Respondent listed 4140 E. Sundance Avenue, Gilbert, AZ 85297 as his business address and 8490 S. Power Rd, Suite 105206, Gilbert, AZ 85297 as his mailing address.

4. In the "Insurance License History" portion of the 2005 AZ application, Respondent indicated he held non-resident insurance producer licenses in Arizona and

1 California¹, and also an insurance producer's license in Washington.

2 5. On or about January 11, 2005, the Department issued Respondent a resident
3 insurance producer's license, number 191354, with license authority for: accident/health
4 producer, life producer, variable life and variable annuities. This license expired on
5 February 29, 2008.

6 6. On or about August 5, 2006, Respondent notified the Department of a change
7 of address: c/o RFG Capital Management², 4542 South Roy Rogers Way, Gilbert, AZ
8 85297 (business and resident address); and P.O. Box 1386, Higley, AZ 85236 (mailing
9 address).

10 **REVOCATION OF WASHINGTON INSURANCE PRODUCER'S LICENSE**

11 7. On or about February 26, 2006, the Washington Insurance Commissioner, in
12 the Order Revoking License, matter number D 06-80 ("2006 Order"), revoked Respondent's
13 Washington non-resident insurance license pursuant to Revised Code of Washington
14 ("RCW") 48.17.530 and RCW 48.17.540(2). The Washington Insurance Commissioner
15 ordered revocation of Respondent's license because of Respondent's violations of the
16 following provisions of the Washington Insurance Code: engaging in unfair or deceptive
17 acts or practices in the conduct of business, in violation of RCW 48.30.010; making,
18 publishing, and disseminating false, deceptive and misleading representations in the
19 conduct of the business of insurance, in violation of RCW 48.30.040; making, issuing and
20 circulating misrepresentations of the terms of insurance policies, in violation of
21 RCW48.30.090; and making false or misleading statements or impersonations in or relative
22 to applications for insurance, in violation of RCW 48.30.210.

23 _____
24 ¹ Grant's California non residence insurance producer's license, number 0716642, will
25 expire on August 31, 2008.

26 ² On February 13, 2008, Grant filed Articles of Organization with the Arizona Corporation
Commission pertaining to incorporation of RFG Capital Management LLC. The outcome of
this request is still pending.

1 by operation of law, within the meaning of A.R.S. § 20-295(H).

2 8. Grounds exist to revoke Respondent's insurance license, pursuant to A.R.S.
3 §§ 20-295(A)(2), (5), (7), (8) and (9) and A.R.S. § 20-301(A).

4
5 **ORDER**

6 IT IS HEREBY ORDERED THAT

7 1. Respondent is assessed a civil penalty in the amount of one hundred dollars
8 (\$100) due and payable upon return of this Consent Order as a result of his failure to report
9 to the Director, within thirty days after final disposition of the matter, the administrative
10 action taken against him in the state of Washington, in violation of A.R.S. § 20-301(A).

11 2. Respondent's license, Arizona license number 191354, is suspended for a
12 period of thirty (30) days effective thirty (30) days after the renewal and reinstatement of his
13 license.

14 DATED AND EFFECTIVE this 17th day of April, 2007.

15
16 
17 _____
18 CHISTINA URIAS
19 Director of Insurance

20 **CONSENT TO ORDER**

21 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
22 and Order.

23 2. Respondent admits the jurisdiction of the Director of Insurance, State of
24 Arizona, and admits the foregoing Findings of Fact and consents to the entry of the
25 foregoing Conclusions of Law and Order.
26

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

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

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

12 6. Respondent acknowledges that this Consent Order is an administrative action
13 that the Department will report to the National Association of Insurance Commissioners
14 (NAIC). Respondent further acknowledges that he must report this administrative action to
15 any and all states in which he holds an insurance license and must disclose this
16 administrative action on any license application.
17

18
19 4/15/08
20 Date

20 
21 Richard F. Grant, Jr., Arizona license #191354

22 COPY of the foregoing mailed this
23 18th day of April, 2008 to:

24 Lewis Kowal, Administrative Law Judge
25 Office of Administrative Hearings
26 1400 West Washington, Suite 101
 Phoenix, Arizona 85007

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1 Mary Kosinski, Executive Assistant for Regulatory Affairs
Steve Fromholtz, Licensing Supervisor
2 Arnold Sniegowski, Investigations Supervisor
Arizona Department of Insurance
3 2910 North 44th Street, Suite 210
Phoenix, Arizona 85018
4

5 Alyse C. Meislik
Assistant Attorney General
6 1275 West Washington Street
Phoenix, Arizona 85007-2926
7 Attorney for the Arizona Department of Insurance

8 AND COPY MAILED SAME DATE by
Certified Mail, Return Receipt Requested, to:

9
10 Richard F. Grant, Jr.
4542 S. Roy Rogers Way
Gilbert, AZ 85297
11 Respondent
12 Richard F. Grant, Jr.
P.O. Box 1386
13 Higley, AZ 85236
Respondent
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