

AUG 30 2010

DEPT OF INSURANCE
BY 

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:)

FENNELL, VICTORIA ROSE
(License number #941027)
(NPN #13541841)

Respondent)

No. 10A-102-INS

CONSENT ORDER

Hearing 10/22/10, 8:00 a.m.
ALJ Lewis Kowal

The State of Arizona Department of Insurance ("Department") has received evidence that **Victoria Rose Fennell** 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. Victoria Rose Fennell ("Respondent") is, and was at all material times licensed as a resident life producer, Arizona license number 941027 which expires November 30, 2012.
2. Respondent's mailing, business and residence addresses of record with the Department are: c/o Primerica Financial Services, 2733 E. Lakin Dr., #1, Flagstaff, Arizona 86004 (business and mailing); 512 Shongopovi Trail, Flagstaff, Arizona 86001 (residence).
3. On or about March 31, 2009, the Department issued to Respondent an insurance license as a resident life producer, Arizona license number 941027.
4. On September 1, 2009, the Department notified Respondent by mail at her business/ mailing address of record that her fingerprint card had been processed and returned by the Arizona Department of Public Safety (DPS) as illegible. The Department requested a replacement set of fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or before October 2, 2009.
5. On November 25, 2009, the Department notified Respondent a second time by mail at her residence address of record that it was about to initiate an administrative action

1 against her license for failure to comply with the fingerprint requirement. The Department
2 requested a response by December 31, 2009.

3 6. To date, Respondent has not submitted a full set of fingerprints to the
4 Department.

5 **CONCLUSIONS OF LAW**

6 1. The Director has jurisdiction over this matter.

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

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

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

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

18 **ORDER**

19 IT IS HEREBY ORDERED THAT:

20 1. Respondent may surrender her insurance producer license, Arizona license
21 number 941027.

22 2. The hearing, Docket #10A-102-INS, scheduled for October 22, 2010, at 8:00
23 a.m. is vacated.

DATED AND EFFECTIVE this 30th day of August, 2010.


CHRISTINA URIAS
Director of Insurance

1 **CONSENT TO ORDER**

2 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
3 and Order.

4 2. Respondent admits to the jurisdiction of the Director of Insurance, State of
5 Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing
6 Conclusions of Law and Order.

7 3. Respondent is aware of her right to notice and a hearing at which she may be
8 represented by counsel, present evidence and examine witnesses. Respondent irrevocably
9 waives her right to such notice and hearing and to any court appeals relating to this Consent
10 Order.

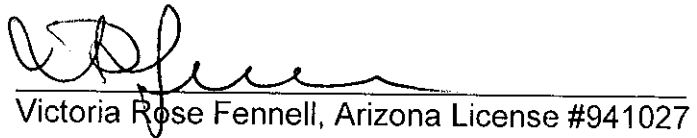
11 4. Respondent states that no promise of any kind or nature whatsoever, except as
12 expressly contained in this Consent Order, was made to her to induce her to enter into this
13 Consent Order and that she has entered into this Consent Order voluntarily.

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

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

6
7 8-24-10
Date


Victoria Rose Fennell, Arizona License #941027

8
9 COPIES of the foregoing mailed/delivered
10 this 30th day of August, 2010, to:

11 Victoria Rose Fennell
12 P.O. Box 907
13 Westcliff, Colorado 81252
14 Respondent

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

21 Lewis Kowal, Administrative Law Judge
22 Office of Administrative Hearings
23 1400 West Washington, Suite 101
Phoenix, AZ 85007


Curvey Walters Burton