

MAY 8 2013

DEPT OF INSURANCE
BY 

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of:

**ACCESS INSURANCE AGENCY OF
ARIZONA, LLC
dba ACCESS AUTO INSURANCE
(Arizona License Number 911656)**

No. 13A-058-INS

CONSENT ORDER

Respondent.

The State of Arizona Department of Insurance ("Department") has received evidence that **Access Insurance Agency of Arizona, LLC dba Access Auto Insurance** violated provisions of Title 20, Arizona Revised Statutes. 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.

SUMMARY OF ALLEGATIONS

1. Access Insurance Agency of Arizona, LLC dba Access Auto Insurance ("Access Insurance" or "Respondent") is, and was at all material times licensed as an Arizona resident casualty and property insurance producer, Arizona license number 911656, which expires February 29, 2016.

2. Access Insurance's addresses of record are: 4815 N. 27th Ave., Phoenix, Arizona 85017 (business) and 1 S. 450 Summit Ave., Oak Brook Terrace, Illinois 60181(mailing).

Unlicensed Activity

3. On or about January 1, 2013, Access Insurance acquired Select Insurance Agency and its employees.

1 2. Respondent's conduct, as described above, constitutes a violation of Title 20,
2 within the meaning of A.R.S. § 20-295(A)(2).

3 3. Respondent's conduct as described above constitutes failing to notify the
4 Department of an insurance producer doing business under any name other than the
5 producer's legal name within the meaning of § 20-297(A).

6 3. Respondent's conduct as described above constitutes paying a commission to
7 an unlicensed person for selling, soliciting or negotiating insurance in this state within the
8 meaning of A.R.S. §20-298(A).

9 4. Respondent's conduct, as described above, constitutes failing to report to the
10 Director at least one insurance producer individually licensed for the appropriate lines of
11 authority in each office or place of business in which the business entity transacts insurance
12 in this State, within the meaning of A.R.S. § 20-290(B).

13 5. Grounds exist for the Director to order Respondent to cease and desist
14 engaging in the violation or doing any act in furtherance of the violation of A.R.S. § 20-282,
15 pursuant to A.R.S. § 20-292.

16 6. Grounds exist for the Director to deny, suspend for not more than twelve months,
17 revoke, or refuse to renew an insurance producer's license, impose a civil penalty and/or order
18 restitution pursuant to A.R.S. § 20-295(A).

19 7. Grounds exist for the director to impose a civil penalty of not more than two
20 thousand five hundred dollars for each intentional violation, up to an aggregate civil penalty of
21 fifteen thousand dollars pursuant to A.R.S. § 20-295(F)(2).

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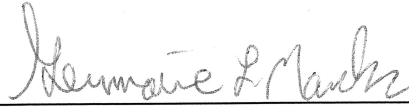
1 **ORDER**

2 IT IS HEREBY ORDERED THAT:

3 1. Respondent shall immediately cease and desist from allowing unlicensed
4 personnel to sell, solicit or negotiate insurance on its behalf.

5 2. Respondent shall immediately pay a civil penalty of \$10,000.00 for deposit into
6 the State General Fund.

7 DATED AND EFFECTIVE this 04 day of May, 2013.

8 
9 _____
10 GERMAINE L. MARKS
11 Director of Insurance

11 **CONSENT TO ORDER**

12 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
13 and Order.

14 2. Respondent admits the jurisdiction of the Director of Insurance, State of Arizona,
15 and admits the foregoing Summary of Allegations and consents to the entry of the foregoing
16 Conclusions of Law and Order.

17 3. Respondent is aware of its right to notice and a hearing at which it may be
18 represented by counsel, present evidence and examine witnesses. Respondent irrevocably
19 waive its right to such notice and hearing and to any court appeals relating to this Consent
20 Order.

21 4. Respondent states that no promise of any kind or nature whatsoever, except as
22 expressly contained in this Consent Order, was made to it to induce it to enter into this
23 Consent Order and that it has entered into this Consent Order voluntarily.

1 Oak Brook Terrace, IL 60181
Respondent
2 Mary E. Kosinski, Executive Assistant for Regulatory Affairs
Mary Butterfield, Assistant Director, Consumer Affairs Division
3 Catherine M. O'Neil, Consumer Legal Affairs Officer
Steven Fromholtz, Licensing Supervisor
4 Charles Gregory, Supervisor Investigations Division
Randy Markham, Investigator
5 Department of Insurance
2910 North 44th Street, Suite 210
6 Phoenix, Arizona 85018

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Curvey Burton

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