STATE OF ARIZONA FILED

## STATE OF ARIZONA

OCT 2 2014

# **DEPARTMENT OF INSURANCE**

DEPT OF INSURANCE

In the Matter of:

SHENEFIELD, TRENT MICHAEL (Arizona License Number 873024) (National Producer Number 8907570)

No. 14A-100-INS

Respondent.

**CONSENT ORDER** 

The State of Arizona Department of Insurance ("Department") has received evidence that **Trent Michael Shenefield** violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). Respondent wishes to resolve this matter without the commencement of formal proceedings, admits the following Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

#### FINDINGS OF FACT

- 1. Trent Michael Shenefield ("Respondent" or "Shenefield") is, and was at all material times, licensed as an Arizona resident adjuster, Arizona license number 873024.
- Shenefield's addresses of record are: Republic Western Insurance, 2721 N.
   Central Ave., Phoenix, Arizona 85004 (business); P.O. Box 24463, Phoenix, Arizona 85074 (mailing); and 1658 W. Cottonwood Ln., Phoenix, Arizona 85045-0806 (residence).
- 3. On or about April 30, 2014, Respondent timely submitted an Insurance License Renewal Application ("Application") to the Department. Part II, Question C of the Application asks: C. Have you been convicted or found guilty of, have you had a judgment made against you for, or have you admitted to, any of the following that has not been previously disclosed in a written format by you to this agency: 1. A felony of any kind? Respondent answered "Yes" to subpart 1 of Question C and provided materials related to the response.

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- 4. On or about July 27, 2011, in The State of Arizona v. Trent M. Shenefield, Docket Number CR2010-008076, the Superior Court of the State of Arizona, Maricopa County ("Court") convicted Respondent of Aggravated Assault, a Class 3 Felony and Endangerment, a Class 6 Dangerous Felony. The Court sentenced Respondent to incarceration for 2.25 years and probation for a term of 3 years.
- 5. Respondent failed to notify the Department of the criminal prosecution within 30 days of the initial pretrial hearing date.

#### **CONCLUSIONS OF LAW**

- 1. The Director has jurisdiction over this matter.
- 2. Respondent's conduct, as described above, constitutes failure to report, within 30 days after the initial pretrial hearing date, any criminal prosecution of the producer taken in any jurisdiction, within the meaning of A.R.S. § 20-301(B) as applied to adjusters under A.R.S. § 20-321.02.
- 3. Respondent's conduct, as described above, constitutes a violation of Title 20, within the meaning of A.R.S. § 20-295(A)(2) as applied to adjusters under A.R.S. § 20-321.02.
- 4. Respondent's conduct, as described above, constitutes having been convicted of a felony, within the meaning of A.R.S. § 20-295(A)(6) as applied to adjusters under A.R.S. § 20-321.02.
- 5. Grounds exist for the Director to deny, suspend for not more than twelve months, revoke, or refuse to renew an insurance producer's license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§20-295(A) as applied to adjusters under A.R.S. § 20-321.02.
- 6. Grounds exist for the Director, in addition to or instead of any suspension, revocation or refusal to renew, impose a civil penalty of not more than two hundred fifty dollars for each unintentional failure or violation, up to an aggregate civil penalty of two thousand five

hundred dollars; or impose a civil penalty of not more than two thousand five hundred dollars for each intentional failure or violation, up to an aggregate civil penalty of fifteen thousand dollars, within the meaning of A.R.S. § 20-295(F) as applied to adjusters under A.R.S. § 20-321.02.

# **ORDER**

# IT IS HEREBY ORDERED THAT:

Respondent shall pay of civil penalty of \$500.00 for deposit into the State
 General Fund.

DATED AND EFFECTIVE this \_\_\_\_\_\_ day of \_\_\_\_\_\_ day of \_\_\_\_\_\_ 2014.

GERMAINE L. MARKS
Director of Insurance

# **CONSENT TO ORDER**

- Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- Respondent admits the jurisdiction of the Director of Insurance, State of Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing
   Conclusions of Law and Order.
- 3. Respondent is aware of his right to notice and hearing at which he may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives his right to such notice and hearing and to any court appeals relating to this Consent Order.

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

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

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

9/25/14 Date

Trent Michael Shenefield AZ License # 873024

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COPIES of the foregoing mailed/delivered this 2md day of October , 2014, to:

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Trent Michael Shenefield

19 P.O. Box 24463

Phoenix, Arizona 85074 Respondent

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Trent Michael Shenefield 1658 W. Cottonwood Ln.

22 Phoenix, Arizona 85045

Respondent

1 2 3 4 5 6	Darren T. Ellingson, Deputy Director Mary E. Kosinski, Executive Assistant for Regulatory Affairs Maria Ailor, Acting Assistant Director, Consumer Affairs Division Catherine M. O'Neil, Consumer Legal Affairs Officer Steven Fromholtz, Licensing Supervisor Department of Insurance 2910 North 44th Street, Suite 210 Phoenix, Arizona 85018  Curvey Walters
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