STATE OF ARIZONA FILED

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JUN 24 2016

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE BY

In the Matter of:

IMPERIAL VALLEY AUTO LOANS

(Arizona License Number 1111609) (National Producer Number 17592990) No. 16A-024-INS

CONSENT ORDER

Respondent.

The State of Arizona Department of Insurance ("Department") has received evidence that **IMPERIAL VALLEY AUTO LOANS** 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.

FINDINGS OF FACT

- 1. Imperial Valley Auto Loans ("Respondent") is and was at all material times licensed as a property/casualty producer, Arizona license number 1111609, which expires May 31, 2019.
- 2. Respondent's addresses of record with the Department are: 1185 S. 4th Avenue, Suite A, Yuma, AZ 85364 (business and mailing).
- 3. On or about May 19, 2015, the Department issued to Respondent an insurance license as a property/casualty producer, Arizona license number 1111609.
- 4. A search of Arizona Corporation Commission records on February 4, 2016 reflected that Erika Hermosillo took office as a Director and Secretary of Imperial Valley Auto Loans on October 31, 2013.
- 5. On October 29, 2015, the Department notified Respondent by mail at its address of record that Erika Hermosillo's fingerprint card had been processed and returned by the Arizona Department of Public Safety (DPS) as illegible. The Department requested a

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replacement set of fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or before November 30, 2015. Respondent did not reply to the Department's request.

- 6. On November 30, 2015, the Department notified Respondent a second time by mail at her address of record that her fingerprints had been returned by DPS as illegible and that the Department was about to initiate an administrative action against her license for failure to comply with the fingerprint requirement. The Department requested a response by December 30, 2015.
- 7. To date, Respondent has not submitted a full set of fingerprints to the Department.

CONCLUSIONS OF LAW

- 1. The Director has jurisdiction over this matter.
- 2. Respondent's conduct as described above constitutes the violation of the requirement that an applicant submit a full set of fingerprints to the Department within the meaning of A.R.S. § 20-285(E)(2).
- 3. Respondent's conduct as described above constitutes providing incomplete information in the license application within the meaning of A.R.S. § 20-295(A)(1).
- 4. Respondent's conduct as described above constitutes the violation of any provision of A.R.S. Title 20 or any rule, subpoena or order of the director within the meaning of A.R.S.§ 20-295(A)(2).
- 5. Grounds exist for the Acting 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),(B) and (F).

ORDER

IT IS HEREBY ORDERED THAT:

Respondent may surrender its insurance license, Arizona license number
 1111609.

4. The hearing scheduled in this matter, 16A-024-INS, for June 29, 2016 at 1:00 p.m. in front of Administrative Law Judge Kay Abramsohn, is vacated.

DATED AND EFFECTIVE this 22nd day of June, 2016.

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Interim 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 its right to notice and a hearing at which it may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives its 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 it to induce it to enter into this Consent Order and that it 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 it 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.

23

COPY sent same date via electronic mail to: Liane Kido, Assistant Attorney General
<u>Liane.Kido@azag.gov</u> and <u>Teresa.Carranza@azag.gov</u>
Attorney for the Department of Insurance Maidene Scheiner

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