# STATE OF ARIZONA FILED

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DEPT	OF	INSURANCE
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In the Matter of:	)	No. 16A-053-INS
FERNANDEZ, MARYGRACE CADAG,	)	
(Arizona License # 1126855)	)	CONSENT ORDER
(National Producer # 17744312)	)	
	)	
	)	
Respondent	)	
	)	

The State of Arizona Department of Insurance ("Department") has received evidence that **MARYGRACE CADAG FERNANDEZ** 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**

- MaryGrace Cadag Fernandez, ("Respondent") is and was at all material times
   licensed as a resident life insurance producer, Arizona license number 1126855, which expires
   February 28, 2019.
- 2. Respondent's addresses of record with the Department are: 1481 W. Warm Springs Rd., Ste 144, Henderson, NV 89014-7636 (business) and 12646 W. Bloomfield Rd., El Mirage, AZ 85335-2249 (mailing).
- 3. On or about October 8, 2015, the Department issued to Respondent a license as a resident life insurance producer, Arizona license number 1126855.
- 4. On December 21, 2015, the Department notified Respondent by mail at her 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 January 22, 2016. Respondent did not reply to the Department's request.

- 5. On February 4, 2016, 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 March 4, 2016.
- 6. 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 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) and (F).

## **ORDER**

## IT IS HEREBY ORDERED THAT:

- 1. Respondent may surrender her insurance producer license, Arizona license number **1126855**.
- 2. The hearing, Docket #16A-053-INS, scheduled for September 27, 2016, at 1:00 p.m. is vacated.

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DATED AND EFFECTIVE this 6 M day of Splember, 2016.

Description of Splember, 2016.

ESILIE R. HESS

Interim Director of Insurance

## **CONSENT TO ORDER**

- Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- Respondent admits to 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 her right to notice and a hearing at which she may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives her 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 her to induce her to enter into this Consent Order and that she 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 her and does not preclude any other agency, officer, or subdivision of this state including the Department from instituting civil or criminal proceedings as may be appropriate now or in the future not related to this matter.
- 6. Respondent acknowledges that this Consent Order is an administrative action that the Department will report to the National Association of Insurance Commissioners

1	(NAIC). Respondent further acknowledges that she must report this administrative action to
2	any and all states in which she holds an insurance license and must disclose this
3	administrative action on any license application.
4	8/25/16 July 6 - 00 - 2/
5	Date MARYGRACÉ CADAG PERMANDEZ, Arizona License # 112688
6	COPIES of the foregoing mailed/delivered this & the day of Listenber 2016, to:
8 9	MaryGrace Cadag Fernandez 12646 W. Bloomfield Road El Mirage, Arizona 85335-2249 Respondent
10 11 12.	Mary Kosinski, Executive Assistant for Regulatory Affairs Steven Fromholtz, Assistant Director for Consumer Protection Arizona Department of Insurance 2910 North 44th Street, Suite 210 Phoenix, Arizona 85018
13	E-FILE of the foregoing delivered electronically, same date, to:
15	Kay Abramsohn, Administrative Law Judge Office of Administrative Hearings
16	COPY sent same date via electronic mail to:
17 18	Liane Kido Assistant Attorney General
19	<u>Liane Kido@azag.gov</u> and <u>Teresa Carranza@azag.gov</u> Attorney for the Department of Insurance
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