

STATE OF ARIZONA
FILED

MAR 20 2017

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

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In the Matter of:

SANCHEZ-NAVA, ROSAELIA
(Arizona License # 1155878),
(National Producer # 18075413),

Respondent.

No. 17A-005-INS

**FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER**

On February 9, 2017, the Arizona Department of Insurance ("Department") issued a Notice of Hearing ("Notice") in the above-captioned matter, a copy of which is attached as **Exhibit A** and incorporated by this reference. The Notice required Rosaelia Sanchez-Nava ("Sanchez-Nava" or "Respondent") to provide a written answer to the allegations set forth in the Notice within twenty days of the issuance of the Notice. As of this date, Respondent has failed to file an answer. On March 6, 2017, counsel for the Department filed a Request for Default and Proposed Findings of Fact, Conclusions of Law and Order, a copy of which is attached as **Exhibit B**. As of this date, Respondent has not responded to the Department's request. Pursuant to A.A.C.R20-6-106(D), a party that fails to file an answer within the time provided shall be deemed to be in default and one or more of the allegations in the Notice of Hearing may be deemed to be admitted.

FINDINGS OF FACT

1. Notice was proper.
2. Respondent is in default.
3. The allegations in the Notice are deemed admitted.

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CONCLUSIONS OF LAW

1. The conduct alleged in the Notice constitutes grounds for the Director to suspend, revoke or refuse to renew Respondent's license to transact insurance in Arizona, pursuant to A.R.S. §20-295(A).

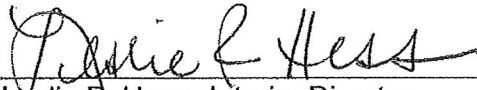
ORDER

IT IS ORDERED:

1. The insurance license held by Respondent is revoked effective upon the issuance of this Order.

2. The hearing set for **March 28, 2017 at 1:00 p.m.** shall be vacated.

DATED this 16th day of March, 2017.



Leslie R. Hess, Interim Director
Arizona Department of Insurance

COPY of the foregoing electronically filed this 20th day of March, 2017 to:

Velva Moses-Thompson, Administrative Law Judge
Office of Administrative Hearings

COPY of the foregoing delivered same date to:

Mary Kosinski, Regulatory Legal Affairs Officer
Steven Fromholtz, Assistant Director, Consumer Protection Division
Aqueelah Currie, Licensing Manager
Arizona Department of Insurance
2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

COPY of the foregoing emailed same date to:

Liane Kido
Liane.Kido@azag.gov and Teresa.Carranza@azag.gov
Attorney for the Arizona Department of Insurance

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COPY mailed same date to:
Rosaelia Sanchez-Nava
2231 E. Camelback Rd., Ste 300
Phoenix, AZ 85016
Respondent

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5799928

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STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

Sanchez-Nava, Rosaelia
(Arizona License # 1155878),
(National Producer # 18075413),

Respondent.

Docket No. 17A-005-INS

NOTICE OF HEARING

(ALJ Velva Moses-Thompson)

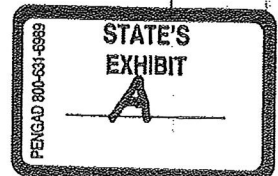
PLEASE TAKE NOTICE that the above-captioned matter will be heard before the Interim Director of Insurance of the State of Arizona (the "Interim Director") or her duly designated representative on March 28, 2017 at 1:00 p.m., at the Office of Administrative Hearings, 1400 West Washington, Suite 101, Phoenix, Arizona 85007¹.

If you wish to continue this hearing to another date, you must file a motion in writing with the Office of Administrative Hearings not less than 15 days before the scheduled hearing date. Please send it to the attention of the Administrative Law Judge ("ALJ") and include the docket number listed above. You must also mail or hand-deliver a copy of any motion to continue to the Department of Insurance on the same date you file it with the Office of Administrative Hearings.

You are not required to have an attorney represent you. However, if you are represented, your attorney must be licensed to practice law in the State of Arizona. An insurance company may be represented by a corporate officer. A.R.S. § 20-161(B).

You are entitled to be present during the giving of all evidence and you will have a reasonable opportunity to inspect all documentary evidence, examine witnesses, present evidence that supports your case and to request that the ALJ issue subpoenas to compel the attendance of witnesses and production of evidence. A.R.S. §20-164(B).

¹As authorized under Arizona Revised Statutes ("A.R.S.") §§ 20-161 through and including 20-165 and Title 41, Chapter 6, Article 10 (A.R.S. § 41-1092 *et seq.*).



1 A clear and accurate record of the proceedings will be made either by a court reporter
2 or by electronic means. A.R.S. § 41-1092.07(E). If you want a copy of an electronic recording,
3 you must contact the Office of Administrative Hearings at (602) 542-9826. If the hearing was
4 transcribed by a court reporter and you want a copy of the transcript, you must pay the cost of
5 the transcript to the court reporter or other transcriber.

6 Questions concerning issues raised in this Notice of Hearing should be directed to
7 Assistant Attorney General Liane C. Kido, telephone number (602) 542-8011, 1275 West
8 Washington Street, Phoenix, Arizona 85007-2926, Liane.Kido@azag.gov.

9 NOTICE OF APPLICABLE RULES

10 On January 23, 1992, we adopted the rules of practice and procedure applicable in
11 contested cases before the Director of Insurance. The hearing will be conducted pursuant to
12 these rules. A.A.C. R20-6-101 through R20-6-115.

13 YOU MUST FILE A WRITTEN RESPONSE (ANSWER) TO THE ALLEGATIONS IN
14 THIS NOTICE WITH US WITHIN 20 DAYS AFTER WE ISSUE THIS NOTICE. A.A.C.
15 R20-6-106. YOUR RESPONSE SHOULD STATE YOUR POSITION OR DEFENSE AND
16 SHOULD SPECIFICALLY ADMIT OR DENY EACH ASSERTION IN THE NOTICE. IF YOU
17 DO NOT SPECIFICALLY DENY AN ASSERTION, WE WILL CONSIDER IT ADMITTED. ANY
18 DEFENSE YOU DO NOT RAISE WILL BE CONSIDERED WAIVED.

19 IF YOU DO NOT FILE YOUR RESPONSE ON TIME, WE WILL CONSIDER YOU IN
20 DEFAULT AND THE DIRECTOR MAY DEEM THE ALLEGATIONS IN THE NOTICE AS
21 TRUE. ACCORDINGLY, WE WILL TAKE WHATEVER ACTION IS APPROPRIATE
22 INCLUDING SUSPENSION, REVOCATION, IMPOSITION OF A CIVIL PENALTY AND
23 ORDERING RESTITUTION TO ANY INJURED PERSON.

24 PERSONS WITH DISABILITIES

PERSONS WITH DISABILITIES MAY REQUEST REASONABLE
ACCOMMODATIONS SUCH AS INTERPRETERS, ALTERNATIVE FORMATS, OR
ASSISTANCE WITH PHYSICAL ACCESSIBILITY. REQUESTS FOR ACCOMMODATIONS
SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE

1 ACCOMMODATIONS. IF YOU REQUIRE ACCOMMODATIONS, PLEASE CONTACT THE
2 OFFICE OF ADMINISTRATIVE HEARINGS AT (602) 542-9826.

3 The allegations supporting this Notice of Hearing are as follows:

4 1. Rosaelia Sanchez-Nava, ("Respondent") is and was at all material times licensed
5 as a resident accident/health insurance producer, Arizona license number 1155878, which
6 expires June 30, 2020.

7 2. Respondent's addresses of record with the Department are: 2231 E. Camelback
8 Rd., Ste 300, Phoenix, AZ 85016 (business and mailing).

9 3. On or about August 22, 2016, the Department issued to Respondent a license as
10 an accident/health insurance producer, Arizona license number 1155878.

11 4. On November 2, 2016, the Department notified Respondent by mail at her
12 address of record that her fingerprint card had been processed and returned by the Arizona
13 Department of Public Safety (DPS) as illegible. The Department requested a replacement set
14 of fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or before
15 November 22, 2016. Respondent did not reply to the Department's request.

16 5. On December 2, 2016, the Department notified Respondent a second time by
17 mail at her address of record that her fingerprints had been returned by DPS as illegible and
18 that the Department was about to initiate an administrative action against his license for failure
19 to comply with the fingerprint requirement. The Department requested a response by
20 December 27, 2016.

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

23 VIOLATIONS

24 7. 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).

8. 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).

1 COPY of the foregoing delivered this
9th day of February, 2017 to:

2 Mary Kosinski, Regulatory Legal Affairs Officer
3 Steven Fromholtz, Asst. Director, Consumer Protection Division
4 Aqueelah Currie, Licensing Manager
5 Arizona Department of Insurance
2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

6 COPY mailed same date by Regular Mail
and Certified Mail, Return Receipt Requested, to:

7 Rosaelia Sanchez-Nava
8 2231 E. Camelback Rd., Ste 300
9 Phoenix, AZ 85016
Respondent

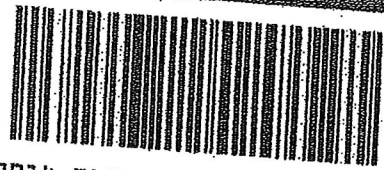
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COPY sent same date via electronic mail to:

Liane Kido
Assistant Attorney General
Liane.Kido@azag.gov and Teresa.Carranza@azag.gov
Attorney for the Department of Insurance

Maidene Scheiner
Maidene Scheiner
5740619

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE
CERTIFIED MAIL



7014 3490 0001 8000 8850

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CERTIFIED MAIL



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STATE OF ARIZONA
FILED

MAR 06 2017

DEPARTMENT OF INSURANCE
BY MLK

1 MARK BRNOVICH
2 Attorney General
2 Firm Bar No. 14000
3 Liane Kido
3 State Bar No. 023696
4 Assistant Attorney General
4 Consumer Protection & Advocacy Section
5 1275 West Washington Street
5 Phoenix, Arizona 85007-2926
6 Telephone: (602) 542-8011
6 Facsimile: (602) 542-4377
7 E-mail: Liane.Kido@azag.gov
8 Attorneys for the Arizona Department of Insurance

9 STATE OF ARIZONA
10 DEPARTMENT OF INSURANCE

11 In the Matter of:

No. 17A-005-INS

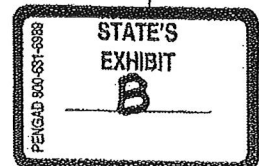
12 SANCHEZ-NAVA, ROSAELIA
13 (Arizona License # 1155878),
13 (National Producer # 18075413);

REQUEST FOR DEFAULT AND
PROPOSED FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER

14
15 Respondent.

16 The Arizona Department of Insurance ("Department"), by and through undersigned
17 counsel, hereby requests that the Findings of Fact and Conclusions of Law set forth in the
18 Notice of Hearing and incorporated herein by reference be entered in this matter, deeming
19 **Rosaelia Sanchez-Nava** ("Sanchez-Nava" or "Respondent"), in default, deeming the
20 allegations set forth in the Notice as true, and ordering that Respondent's insurance license
21 be revoked.

22 On February 9, 2017, a Notice of Hearing ("Notice") was filed in this matter and
23 served upon Respondent at her addresses of record via certified mail pursuant to A.R.S. §
24 41-1092.04. On February 10, 2017, the Department received the certified mail return
25 receipt, No. 7014 3490 0001 8000 8843, showing that the Notice had been delivered and
26



1 accepted at Respondent's mailing address of record: 2535 N. 118th Ave., Avondale, AZ
2 85392. On February 13, 2017, the Department received the certified mail return receipt,
3 No. 7014 3490 0001 8000 8850, showing that the Notice had been delivered and accepted
4 at Respondent's business address of record: 2231 E. Camelback Rd., Ste. 300, Phoenix,
5 AZ 85016. Copies of the certified mail receipts are attached to this request as **Exhibit A**.

6 Respondent had twenty (20) days from the date of issuance of the Notice to file a
7 written answer to the allegations contained therein pursuant to Arizona Administrative Code
8 ("A.A.C") R20-6-106. As of the date of this Request, Respondent has not filed an answer
9 nor has she appeared through counsel. Rule 20-6-106(D) of the Arizona Administrative
10 Code provides that if an answer is not timely filed, the Respondent shall be deemed in
11 default and the Director may deem the allegations set forth in the Notice of Hearing as true
12 and take whatever action is appropriate including revoking the license.

13 The allegations supporting the Notice of Hearing are as follows:

14 1. Rosaelia Sanchez-Nava, ("Respondent") is and was at all material times
15 licensed as a resident accident/health insurance producer, Arizona license number
16 1155878, which expires June 30, 2020.

17 2. Respondent's addresses of record with the Department are: 2231 E.
18 Camelback Rd., Ste 300, Phoenix, AZ 85016 (business) and 2535 N. 118th Avenue,
19 Avondale, AZ 85392 (mailing).

20 3. On or about August 22, 2016, the Department issued to Respondent a license
21 as an accident/health insurance producer, Arizona license number 1155878.

22 4. On November 2, 2016, the Department notified Respondent by mail at her
23 address of record that her fingerprint card had been processed and returned by the Arizona
24 Department of Public Safety (DPS) as illegible. The Department requested a replacement
25 set of fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or
26 before November 22, 2016. Respondent did not reply to the Department's request.

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Aeresa Catrauzo

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