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STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of:

BOSER, VICKI LYNN
(National Producer Number 5774965)
(Arizona Legacy License No. 169547)

and

INSURANCE TEK, INC.
(National Producer Number 7936393)
(Arizona License No. 1800003039)

Respondents.

No. 17A-067-INS

ORDER

On December 29, 2017, the Office of Administrative Hearings, through Administrative Law Judge Tammy L. Eigenheer, issued an Administrative Law Judge Decision ("Recommended Decision"), received by the Interim Director of the Department of Insurance ("Interim Director") on December 29, 2017, a copy of which is attached and incorporated by this reference. The Interim Director of the Department of Insurance has reviewed the Recommended Decision and enters the following Order:


1. The Interim Director adopts the Recommended Findings of Fact and Conclusions of Law.
2. The Interim Director revokes the Arizona non-resident insurance producer license of **Vicki Lynn Boser** effective immediately.
3. The Interim Director revokes the Arizona non-resident insurance producer license of **InsuranceTek, Inc.** effective immediately.

1 **NOTIFICATION OF RIGHTS**

2 Pursuant to Arizona Revised Statutes ("A.R.S.") § 41-1092.09, Respondents may
3 request a rehearing with respect to this order by filing a written motion with the Interim
4 Director of the Department of Insurance within 30 days of the date of this Order, setting
5 forth the basis for relief under A.A.C. R20-6-114(B). Pursuant to A.R.S. § 41-1092.09, it is
6 not necessary to request a rehearing before filing an appeal to Superior Court.

7 Respondents may appeal the final decision of the Interim Director to the Superior
8 Court of Maricopa County for judicial review pursuant to A.R.S. § 20-166. A party filing an
9 appeal must notify the Office of Administrative Hearings of the appeal within ten days after
10 filing the complaint commencing the appeal, pursuant to A.R.S. § 12-904(B).

11 DATED this 2nd day of January, 2018.

12 
13 Leslie R. Hess, Interim Director
14 Arizona Department of Insurance

15 COPY of the foregoing mailed this
16 3rd day of January, 2018, to:

17 Vicki Lynn Boser
Insurance Tek, Inc.
18 108 Union Ave.
Snohomish, WA 98290-2971
19 Respondents

20 Vicki Lynn Boser
Insurance Tek, Inc.
21 P.O. Box 70
Snohomish, WA 98291-0070
22 Respondents

23 Vicki Lynn Boser
24 14002 67th Avenue SE
Snohomish, WA 98296-8956
25 Respondent

1 Mary Kosinski, Regulatory Legal Affairs Officer
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11 
12 Maidene Scheiner

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DEC 29 2017

DEPT. OF INSURANCE
BY: MEK

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

No. 17A-067-INS

Boser, Vicki Lynn
(National Producer Number 5774965)
(Legacy AZ License Number 169547)

ADMINISTRATIVE LAW JUDGE
DECISION

and

InsuranceTek, Inc.
(National Producer Number 7936393)
(Arizona License Number 1800003039)

Respondents.

HEARING: December 12, 2017

APPEARANCES: Respondents Vicki Lynn Boser and InsuranceTek, Inc. did not appear. The Arizona Department of Insurance was represented by Assistant Attorney General Liane C. Kido.

ADMINISTRATIVE LAW JUDGE: Tammy L. Eigenheer

FINDINGS OF FACT

1. The Arizona Department of Insurance (Department) issued Respondent Vicki Lynn Boser (Boser) non-resident Insurance Producer's License No. 5774965 on January 22, 2004. This license was due to expire on January 31, 2020.

2. Boser's addresses of record with the Department were: Insurancetek, Inc., 108 Union Avenue, Snohomish, Washington 98290-2971 (business) and InsuranceTek, Inc., P.O. Box 70, Snohomish, Washington 98291-0070 (mailing). Boser's business email address of record was: sue@insurance-tek.com.

3. The Department issued Respondent InsuranceTek, Inc. (ITI) non-resident Insurance Producer's License No. 1800003039 on January 22, 2004. This license was due to expire on January 31, 2018. ITI was not registered as a foreign corporation with the Arizona Corporation Commission.

1 4. ITI's addresses of record with the Department were: 108 Union Avenue,
2 Snohomish, Washington 98290-2971 (business) and P.O. Box 70, Snohomish, Washington
3 98291-0070 (mailing).

4 5. Boser was President of, Governor of, and Designated Responsible Licensed
5 Producer for ITI.

6 6. On or about January 27, 2017, the Washington State Office of the Insurance
7 Commissioner (Washington) issued an Order Suspending Licenses Pending Revocation
8 (Suspension Order) against Boser and ITI. The Suspension Order became effective on
9 February 1, 2017. An Order Revoking Licenses (Revocation Order) was served
10 concurrently with the Suspension Order. The Revocation Order became effective on
11 February 14, 2017.

12 7. Washington found that Boser and ITI converted and failed to forward all
13 premium monies received from a policyholder. Furthermore, it was found that Boser and
14 ITI committed fraud by signing a premium finance agreement without the knowledge of the
15 policyholder who had already made a full premium payment, and by substituting its own
16 address for the policyholder's address so the policyholder would be unaware of the
17 premium finance agreement.

18 8. Boser and ITI failed to report Washington's administrative actions to the
19 Department within 30 days after the final disposition of the matter.

20 9. On February 14, 2017, the Idaho Department of Insurance (Idaho) revoked
21 Boser and ITI's nonresident insurance producer licenses based upon Washington's
22 Suspension Order and Revocation Order.

23 10. Boser and ITI failed to report the Idaho administrative action to the
24 Department within 30 days after the final disposition of the matter.

25 11. On February 21, 2017, the Nevada Division of Insurance (Nevada) revoked
26 Boser and ITI's nonresident insurance producer licenses based upon Washington's
27 Revocation Order.

28 12. Boser and ITI failed to report the Nevada administrative action to the
29 Department within 30 days after the final disposition of the matter.
30

1 not sufficient to free the mind wholly from all reasonable doubt, is still sufficient to incline a
2 fair and impartial mind to one side of the issue rather than the other.” BLACK’S LAW
3 DICTIONARY at 1220 (8th ed. 1999).

4 4. A.R.S. § 20-295(A) provides, in pertinent part:

5 A. The director may deny, suspend for not more than twelve months, revoke
6 or refuse to renew an insurance producer's license or may impose a civil
7 penalty in accordance with subsection F of this section or any combination
8 of actions for any one or more of the following causes:

9
10 2. Violating any provision of this title or any rule, subpoena or order of the
11 director.

12
13 7. Having admitted or been found to have committed any insurance unfair
14 trade practice or fraud.

15 8. Using fraudulent, coercive or dishonest practices, or demonstrating
16 incompetence, untrustworthiness or financial irresponsibility in the conduct
17 of business in this state or elsewhere.

18 5. A.R.S. § 20-301(A) provides:

19 A. Within thirty days after the final disposition of the matter, an insurance
20 producer shall report to the director any administrative action taken against
21 the producer in another jurisdiction or by another governmental agency in
22 this state. The report shall include a copy of the order, consent to order or
23 other relevant dispositive document.

24 6. Respondents’ conduct, as detailed in the Suspension Order and Revocation
25 Order from Washington, constituted fraud and dishonest practices in violation of A.R.S. §
26 20-295(A)(7) and A.R.S. § 20-295(A)(8).

27 7. Respondents’ failure to report to the Department, within 30 days after the
28 final disposition of the matter, the administrative action taken against Respondents’
29 licenses in Washington, Idaho, Nevada, and Oklahoma was a violation of A.R.S. § 20-
30 301(A). Respondents’ violation of A.R.S. § 20-301(A) in failing to report the administrative
actions taken against Respondents’ licenses constituted a violation of A.R.S. § 20-
295(A)(2).

8. The violations of A.R.S. § 20-295(A)(2), A.R.S. § 20-295(A)(7), A.R.S. § 20-
295(A)(8), and A.R.S. § 20-301(A) provided cause for the Director of the Department to
sanction Respondents’ non-resident insurance producer’s licenses.

