

NOV 26 2018

DEPT OF INSURANCE
BY MEK

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STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

RUIZ, MARINE GUADALUPE
(National Producer # 18547407),

Respondent.

No. 18A-052-INS

DEFAULT ORDER

On October 17, 2018, 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 Marine Guadalupe Ruiz ("Ruiz" 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 November 13, 2018, counsel for the Department filed a Motion for Default, 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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1 **CONCLUSIONS OF LAW**

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

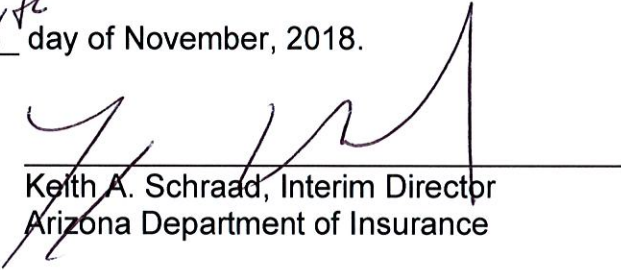
5 **ORDER**

6 IT IS ORDERED:

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

9 2. The hearing set for **December 6, 2018 at 1:00 p.m.** shall be vacated.

10 DATED this 26th day of November, 2018.

11
12 
13 _____
14 Keith A. Schraad, Interim Director
Arizona Department of Insurance

15 **COPY** of the foregoing electronically filed this
16 JH day of November, 2018 to:

17 Kay Abramsohn, Administrative Law Judge
18 Office of Administrative Hearings

19 **COPY** of the foregoing delivered same date to:

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

24 **COPY** of the foregoing emailed same date to:

25 Deian Ousounov
[Deian Ousounov@azag.gov](mailto:Deian.Ousounov@azag.gov)
26 Attorney for the Arizona Department of Insurance

1 **COPY** mailed and e-mailed same date to:

2 Marine Guadalupe Ruiz
3 8476 W. Thunderbird Rd., #102
4 Peoria, AZ 85381
5 Respondent

6 Marine Guadalupe Ruiz
7 Ruizmarine53@gmail.com
8 Respondent

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1 STATE OF ARIZONA
2 DEPARTMENT OF INSURANCE

3
4 In the Matter of:

5 Ruiz, Marine Guadalupe
6 (National Producer Number 18547407)

7 Respondent.

Docket No. 18A-052-INS

NOTICE OF HEARING

(ALJ Kay Abramsohn)

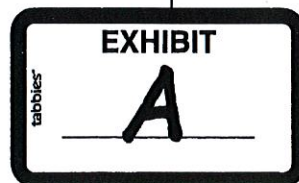
8
9 PLEASE TAKE NOTICE that the above-captioned matter will be heard before the
10 Interim Director of Insurance of the State of Arizona (the "Interim Director") or his duly
11 designated representative on December 6, 2018 at 1:00 p.m., at the Office of
12 **Administrative Hearings, 1740 West Adams Street, Lower Level, Phoenix, Arizona
85007¹.**

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

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

21 You are entitled to be present during the giving of all evidence and you will have a
22 reasonable opportunity to inspect all documentary evidence, examine witnesses, present

23
24 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 evidence that supports your case and to request that the ALJ issue subpoenas to compel the
2 attendance of witnesses and production of evidence. A.R.S. §20-164(B).

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

8 Questions concerning issues raised in this Notice of Hearing should be directed to
9 Assistant Attorney General Deian Ousounov, telephone number (602) 542-8011, 2005 N.
Central Ave., Phoenix, Arizona 85004, Deian.Ousounov@azag.gov.

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.

PERSONS WITH DISABILITIES

24 PERSONS WITH DISABILITIES MAY REQUEST REASONABLE
ACCOMMODATIONS SUCH AS INTERPRETERS, ALTERNATIVE FORMATS, OR

1 ASSISTANCE WITH PHYSICAL ACCESSIBILITY. REQUESTS FOR ACCOMMODATIONS
2 SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE
3 ACCOMMODATIONS. IF YOU REQUIRE ACCOMMODATIONS, PLEASE CONTACT THE
4 OFFICE OF ADMINISTRATIVE HEARINGS AT (602) 542-9826.

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

6 1. Marine Guadalupe Ruiz ("Respondent") is and was at all material times licensed
7 as a resident insurance producer with a line of authority in life insurance, National Producer
8 Number 18547407, which expires March 31, 2021.

9 2. Respondent's address of record with the Department is: 8476 W. Thunderbird
10 Rd., Peoria, AZ 85381 (business and mailing).

11 3. On or about September 22, 2017, the Department issued to Respondent a
12 license as an insurance producer, National Producer Number 18547407.

13 4. On November 6, 2017, the Department notified Respondent by mail at her
14 address of record that her fingerprint card had been processed and returned by the Arizona
15 Department of Public Safety (DPS) as illegible. The Department requested a replacement set
16 of fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or before
17 November 30, 2017. Respondent did not reply to the Department's request.

18 5. On March 2, 2018, the Department notified Respondent a second time by mail at
19 her address of record that her fingerprints had been returned by DPS as illegible and that the
20 Department was about to initiate an administrative action against her license for failure to
21 comply with the fingerprint requirement. The Department requested a response by March 30,
22 2018.

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

21 VIOLATIONS

22 7. Respondent's conduct as described above constitutes the violation of the
23 requirement that an applicant submit a full set of fingerprints to the Department within the
24 meaning of A.R.S. § 20-285(E)(2).

1 8. Respondent's conduct as described above constitutes providing incomplete
2 information in the license application within the meaning of A.R.S. § 20-295(A)(1).

3 9. Respondent's conduct as described above constitutes the violation of any
4 provision of A.R.S. Title 20 or any rule, subpoena or order of the director within the meaning of
5 A.R.S. § 20-295(A)(2).

6 10. Grounds exist for the Interim Director to suspend, revoke, or refuse to renew
7 Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to
8 A.R.S. §§ 20-295(A) and (F).

9 WHEREFORE, if after hearing, the Interim Director finds the grounds alleged above, the
10 Interim Director may deny, suspend, or revoke Respondent's insurance producer's license and
11 impose a civil penalty. A.R.S. §§ 20-295(A) and (F).

12 The Interim Director delegates the authority vested in him to the Director of the Office of
13 Administrative Hearings or his designee to preside over the hearing of this matter as the
14 Administrative Law Judge, to make written recommendations to the Interim Director consisting
15 of proposed findings of fact, proposed conclusions of law, and a proposed order. This
16 delegation does not include delegation of the authority of the Director to make an order on the
17 hearing or any other final decision in this matter. A.R.S. § 20-150.

18 Pursuant to A.R.S. § 41-1092.01, your hearing will be conducted through the Office of
19 Administrative Hearings, an independent agency. Further hearing information may be found at
20 the Office of Administrative Hearings website: www.azoah.com.

21 DATED this 11th day of October, 2018.

22 
23 _____
24 Mary Kosinski, Regulatory Legal Affairs Officer
 Arizona Department of Insurance

25 E-FILE of the foregoing delivered electronically
26 this 17th day of October, 2018, to:

27 ALJ Kay Abramsohn
28 oahnoticesofhearing@azoah.com
29 Office of Administrative Hearings

1 COPY of the foregoing delivered this
2 17th day of October, 2018 to:

3 Mary Kosinski, Regulatory Legal Affairs Officer
4 Steven Fromholtz, Asst. Director, Consumer Protection Division
5 Aqueelah Currie, Licensing Manager
6 Arizona Department of Insurance
7 2910 North 44th Street, Suite 210
8 Phoenix, Arizona 85018

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

11 Marine Guadalupe Ruiz
12 8476 W. Thunderbird Rd., #102
13 Peoria, AZ 85381
14 Respondent

15 COPY sent same date via electronic mail to:

16 Marine Guadalupe Ruiz
17 Ruizmarine53@gmail.com
18 Respondent

19 Deian Ousounov
20 Assistant Attorney General
21 Admin.Law@azag.gov
22 Attorney for the Department of Insurance

23 Francine Martinez
24 Francine Martinez
7210507

STATE OF ARIZONA
FILED

NOV 13 2018

DEPT OF INSURANCE
BY MEK

1 MARK BRNOVICH
Attorney General
2 Firm Bar No. 14000
3 Dejan Ousounov
State Bar No. 031656
4 Assistant Attorney General
Public Law Section
5 2005 N. Central Ave.
Phoenix, Arizona 85004
6 Telephone: (602) 542-4951
Facsimile: (602) 542-4385
7 E-mail: Dejan.Ousounov@azag.gov
8 Attorneys for the Arizona Department of Insurance

9 STATE OF ARIZONA
10 DEPARTMENT OF INSURANCE

11 In the Matter of:

No. 18A-052-INS

12 **RUIZ, MARINE GUADALUPE**
13 (National Producer Number 18547407)

MOTION FOR DEFAULT

14 Respondent.
15

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 Marine Guadalupe Ruiz ("Ruiz" or "Respondent"), in default, deeming the allegations set
20 forth in the Notice as true, and ordering that Respondent's Insurance license be revoked.

21 On October 17, 2018, a Notice of Hearing ("Notice") was filed in this matter and
22 served upon Marine Guadalupe Ruiz at her address of record via certified mail pursuant to
23 A.R.S. § 41-1092.04. On October 24, 2018, the Department received the certified mail
24 return receipt, No. 7004 0750 0001 8551 3244, showing that the Notice had been delivered
25 and accepted at Respondent's mailing addresses of record: 8476 W. Thunderbird Rd.,
26

EXHIBIT

tabbies

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1 #102, Peoria, AZ 85381. A copy of the certified mail receipt is attached to this request as
2 **Exhibit A.**

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

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

11 1. Marine Guadalupe Ruiz ("Respondent") is and was at all material times
12 licensed as a resident insurance producer with a line of authority in life insurance, National
13 Producer Number 18547407, which expires March 31, 2021.

14 2. Respondent's address of record with the Department is: 8476 W.
15 Thunderbird Rd., Peoria, AZ 85381 (business and mailing).

16 3. On or about September 22, 2017, the Department issued to Respondent a
17 license as an insurance producer, National Producer Number 18547407.

18 4. On November 6, 2017, the Department notified Respondent by mail at her
19 address of record that her fingerprint card had been processed and returned by the Arizona
20 Department of Public Safety (DPS) as illegible. The Department requested a replacement
21 set of fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or
22 before November 30, 2017. Respondent did not reply to the Department's request.

23 5. On March 2, 2018, the Department notified Respondent a second time by
24 mail at her address of record that her fingerprints had been returned by DPS as illegible
25 and that the Department was about to initiate an administrative action against her license
26 for failure to comply with the fingerprint requirement. The Department requested a
response by March 30, 2018.

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

3 Based upon the foregoing, the Department respectfully requests that the allegations
4 set forth in the October 17, 2018 Notice of Hearing be deemed admitted and that
5 Respondent's insurance license be revoked.

6 RESPECTFULLY SUBMITTED this 13th day of November, 2018.

7 MARK BRNOVICH, Attorney General

8 By /s/ Deian Ousounov

9 Deian Ousounov, Assistant Attorney General
Attorneys for the Arizona Department of Insurance

10 COPY of the foregoing electronically filed this
11 13th day of November, 2018 with:

12 Mary Kosinski, Regulatory Legal Affairs Officer
13 Steven Fromholtz, Assistant Director, Consumer Protection Division
14 Aqueelah Currie, Licensing Manager
15 Arizona Department of Insurance
16 mkosinski@azinsurance.gov
17 sfromholtz@azinsurance.gov
18 acurrie@azinsurance.gov

19 COPY mailed and e-mailed same date to:

20 Marine Guadalupe Ruiz
21 8476 W. Thunderbird Rd., #102
22 Peoria, AZ 85381
Respondent

23 Marine Guadalupe Ruiz
24 Ruizmarine53@gmail.com
Respondent

25 /s/ Teresa C. Carranza
26 7432081

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>2. Print your name and address on the reverse so that we can return the card to you.</p> <p>3. Attach this card to the back of the mail piece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/></p> <p><i>Marine Guadalupe Ruiz</i></p>	
<p>1. Article Addressed to:</p>		<p>B. Recipient's Printed Name <input type="checkbox"/> Addressee <input type="checkbox"/></p> <p><i>Marine Guadalupe Ruiz</i></p>	
<p>2. Article Number (Transfer from service)</p>		<p>C. Date of Delivery</p> <p><i>10/24/18</i></p>	
<p>3. Article Addressed to:</p> <p>Marine Guadalupe Ruiz 8476 W. Thunderbird Rd., #102 Peoria, Arizona 85381</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>4. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p>5. Restricted Delivery (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>7004 0750 0001 8553 3244</p>			
PS Form 3811, February 2004		Domestic Return Receipt	

UNITED STATES POSTAL SERVICE

22 OCT '18

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

RECEIVED
OCT 24 2018

Arizona Department of Insurance
 100 North 15th Avenue, Suite 102
 Phoenix, AZ 85007-2824

PHOENIX, AZ 85007-2824

