

SEP 17 2018

DEPT OF INSURANCE
BY MEK

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

Docket No. 18A-054-INS

Sempert, Elaine Robyn,
(National Producer Number 18504511)

CONSENT ORDER

Respondent.

The State of Arizona Department of Insurance ("Department") has received evidence that **Elaine Robyn Sempert** 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

1. Elaine Robyn Sempert ("Respondent") is and was at all material times licensed as a resident insurance producer with lines of authority in life and accident and health or sickness, National Producer Number 18504511, which expires May 31, 2021.

2. Respondent's address of record with the Department is: c/o Bankers Life, 1839 S. Alma School Rd., Mesa, AZ 85210 (business). Respondent's e-mail address is ERSEMPERT@GMAIL.COM.

3. On or about August 11, 2017, the Department issued to Respondent a license as an insurance producer, National Producer Number 18504511.

4. On November 6, 2017, 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

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ADMINISTRATIVE SERVICES

1 of fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or before
2 November 30, 2017. Respondent did not reply to the Department's request.

3 5. On March 2, 2018, the Department notified Respondent a second time by mail at
4 her address of record that her fingerprints had been returned by DPS as illegible and that the
5 Department was about to initiate an administrative action against her license for failure to
6 comply with the fingerprint requirement. The Department requested a response by March 30,
7 2018.

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

CONCLUSIONS OF LAW

10 1. The Interim Director has jurisdiction over this matter.

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

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

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

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

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24 //

1 **ORDER**

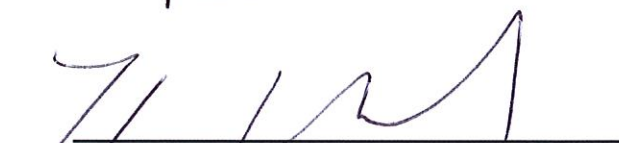
2 IT IS HEREBY ORDERED THAT:

3 1. Respondent shall immediately submit her fingerprints and an Illegible Fingerprint
4 Replacement Form to the Department.

5 2. Respondent shall pay a civil penalty of one hundred dollars (\$100.00) to the
6 Department, due upon the submission of this Consent Order.

7 3. The hearing, Docket #18A-054-INS, scheduled for September 28, 2018, at 1:00
8 p.m. is vacated.

9 DATED AND EFFECTIVE this 17th day of Sept., 2018.

10
11 
12 _____
13 Keith A. Schraad, Interim Director
14 Arizona Department of Insurance

14 **CONSENT TO ORDER**

15 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
16 and Order.

17 2. Respondent admits to the jurisdiction of the Interim Director of Insurance, State
18 of Arizona, and admits the foregoing Findings of Fact and consents to the entry of the
19 foregoing Conclusions of Law and Order.

20 3. Respondent is aware of her right to notice and hearing at which she may be
21 represented by counsel, present evidence and examine witnesses. Respondent irrevocably
22 waives her right to such notice and hearing and to any court appeals relating to this Consent
23 Order.

1 4. Respondent states that no promise of any kind or nature whatsoever, except as
2 expressly contained in this Consent Order, was made to her to induce her to enter into this
3 Consent Order and that she has entered into this Consent Order voluntarily.

4 5. Respondent acknowledges that the acceptance of this Consent Order by the
5 Interim Director is solely to settle this matter against her and does not preclude any other
6 agency, officer, or subdivision of this state including the Department from instituting civil or
7 criminal proceedings as may be appropriate now or in the future not related to this matter.

8 6. Respondent acknowledges that this Consent Order is an administrative action
9 that the Department will report to the National Association of Insurance Commissioners
10 (NAIC). Respondent further acknowledges that she must report this administrative action to
11 any and all states in which she holds an insurance license and must disclose this
12 administrative action on any license application.

13 9-9-18
14 Date


14 ELAINE ROBYN SEMPERT, National Producer # 18504511

15
16
17 **COPIES** of the foregoing mailed/delivered
18 this 18th day of September, 2018, to:

19 Elaine Robyn Sempert
20 540 N. May St.
21 Mesa, AZ 85201-4433
22 Respondent

23 **COPY** e-mailed same date to:

24 Elaine Robyn Sempert
ersempert@gmail.com
Respondent


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Mary Kosinski, Regulatory Legal Affairs Officer
Steven Fromholtz, Assistant Director for Consumer Protection
Aqueelah Currie, Licensing Supervisor
Arizona Department of Insurance

COPIES of the foregoing delivered electronically,
same date, to:

Velva Moses-Thompson, Administrative Law Judge
oahnoticesofhearing@azoah.com
Office of Administrative Hearings

Lynette Evans
Assistant Attorney General
Attorney for the Department



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