

STATE OF ARIZONA

JUN 10 2019

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY MEK

In the Matter of:)

AGOSTO, XIAMARA NOHEA)
(National Producer Number 18516049)

No. 18A-115-INS

CONSENT ORDER

Respondent)
_____)

The State of Arizona Department of Insurance ("Department") has received evidence that **Xiamara Nohea Agosto** has violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). Respondent wishes to resolve this matter 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. Xiamara Nohea Agosto ("Respondent") is and was at all material times licensed as a resident insurance producer with a line of authority in accident and health or sickness insurance, National Producer Number 18556247, which expires October 31, 2021.

2. Respondent's addresses of record with the Department are: 16404 N. Black Canyon Hwy., Ste. #100, Phoenix, AZ 85053 (business), 3715 W. Wilshire Dr., Phoenix, AZ 85009 (mailing) and teletechcorporatelicensing@teletech.com (business e-mail).

3. On or about October 2, 2017, the Department issued to Respondent a license as an insurance producer, National Producer Number 18556247.

4. On March 16, 2018, the Department notified Respondent by mail at her mailing 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 April 6, 2018. Respondent did not reply to the Department's request.

5. On April 17, 2018, the Department notified Respondent a second time by mail at her business address of record that her fingerprints had been returned by DPS as illegible and

1 that the Department was about to initiate an administrative action against her license for failure
2 to comply with the fingerprint requirement. The Department requested a response by May 4,
3 2018.

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

6 CONCLUSIONS OF LAW

7 1. The Director has jurisdiction over this matter.

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

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


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

17 ORDER

18 IT IS HEREBY ORDERED THAT:

19 1. Respondent may surrender her insurance producer license, National Producer #
20 18556247.

21 DATED AND EFFECTIVE this 10th day of June, 2019.

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23 KEITH A. SCHRAAD
Interim Director of Insurance

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1 **CONSENT TO ORDER**

2 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
3 and Order.

4 2. Respondent admits to the jurisdiction of the Director of Insurance, State of
5 Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing
6 Conclusions of Law and Order.

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

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

14 5. Respondent acknowledges that this Consent Order is an administrative action
15 that the Department will report to the National Association of Insurance Commissioners
16 (NAIC). Respondent further acknowledges that she must report this administrative action to
17 any and all states in which she holds an insurance license and must disclose this
18 administrative action on any license application.

19 4/17/2019

Date

Xiamara Nohea Agosto

Xiamara Nohea Agosto, National Producer #18556247

20 COPIES of the foregoing emailed and mailed
21 this 12th day of June, 2019, to:

22 Xiamara Nohea Agosto
23 3715 W. Wilshire Dr.
Phoenix, AZ 85009
Respondent

1 Xiamara Nohea Agosto
xiamaraagosto@aol.com


2 Respondent

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

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

9 Thomas Shedden, Administrative Law Judge
10 Office of Administrative Hearings

11 Deian Ousounov
AdminLaw@azag.gov
12 Deian.Ousounov@azag.gov
Assistant Attorney General
13 Attorney for the Department

14 
Francine Martinez

15 7828405

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