

APR 04 2019

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE  
BY MEK

**In the Matter of:**

**HAUGEN, JOSEPH KEITH**  
(National Producer Number 18225532)

**Respondent.**

**No. 18A-143-INS**

**ORDER**

On March 29, 2019, the Office of Administrative Hearings, through Administrative Law Judge Thomas Shedden, issued an Administrative Law Judge Decision ("Recommended Decision"), received by the Director of the Department of Insurance ("Director") on March 29, 2019, a copy of which is attached and incorporated by this reference. The Director of the Department of Insurance has reviewed the Recommended Decision and enters the following Order:

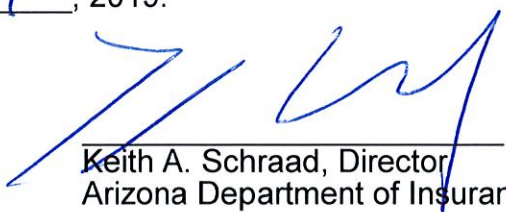
1. The Director adopts the Recommended Findings of Fact, Conclusions of Law and Recommended Order.
2. The Director revokes the Arizona resident insurance producer license of **Joseph Keith Haugen**, National Producer Number 18225532, effective immediately.

**NOTIFICATION OF RIGHTS**

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

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

5 DATED this 15<sup>th</sup> day of April, 2019.

6  
7  
8   
9  
10  
11 Keith A. Schraad, Director  
12 Arizona Department of Insurance

11 **COPY** of the foregoing mailed this  
12 5<sup>th</sup> day of April, 2019, to:

13 Joseph Keith Haugen  
14 Mass Mutual Financial Group  
15 Boulder Basin  
16 6909 E. Greenway Parkway, Suite 175  
17 Scottsdale, AZ 85254  
18 Respondent

16 Joseph Keith Haugen  
17 4520 E. Baseline Rd., Apt. 2031  
18 Phoenix, AZ 85042  
19 Respondent

19 Office of Administrative Hearings  
20 1740 West Adams St., Lower Level  
21 Phoenix, Arizona 85007

21 **COPY** of the foregoing delivered, same date, to:

22 Mary Kosinski, Regulatory Legal Affairs Officer  
23 Catherine O'Neil, Consumer Legal Affairs Officer  
24 Steven Fromholtz, Assistant Director – Consumer Protection Division  
25 Aqueelah Currie, Licensing Supervisor  
26 Sharyn Kerr, Consumer Protection Division  
Arizona Department of Insurance  
100 North 15<sup>th</sup> Ave., Suite 102  
Phoenix, Arizona 85007-2624

1 **COPY** sent same date via electronic mail to:

2 Deian Ousounov  
3 Assistant Attorney General  
4 [AdminLaw@azag.gov](mailto:AdminLaw@azag.gov)  
5 Attorney for the Department of Insurance

6 Susan Hack  
7 [Susan.hack@azag.gov](mailto:Susan.hack@azag.gov)  
8 Attorney General Paralegal

9

10 *Francine Martinez*  
11 \_\_\_\_\_  
12 Francine Martinez

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

MAR 29 2019

DEPT. OF INSURANCE  
BY: M&K

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

No. 18A-143-INS

Joseph Keith Haugen  
(National Producer No. 18225532)

**ADMINISTRATIVE LAW JUDGE  
DECISION**

Respondent

**HEARING:** March 26, 2019

**APPEARANCES:** No one appeared for Respondent; Deian Ousunov, Esq. for the  
Department of Insurance

**ADMINISTRATIVE LAW JUDGE:** Thomas Shedden

**FINDINGS OF FACT**

1. On January 29, 2019, the Arizona Department of Insurance ("Department") issued a Notice of Hearing setting the above-captioned matter for hearing at 1:00 p.m. March 26, 2019 at the Office of Administrative Hearings.
2. Respondent Joseph Keith Haugen did not appear at the scheduled time and the matter was convened in his absence at about 1:20 p.m.<sup>1</sup>
3. The Department presented the testimony of its Aqueelah Currie, its licensing supervisor.
4. Mr. Haugen holds license No. 18225532. Mr. Haugen's license is due to expire on August 31, 2020.
5. On June 26, 2017, Mr. Haugen was indicted for various crimes.
6. On June 13, 2018, Mr. Haugen was found guilty of Taking the Identity of Another, a class 4 felony, and of Theft, a class 3 felony. Among other things, Mr. Haugen was sentenced to serve twelve months in the county jail.
7. Mr. Haugen did not report to the Department that he had been convicted of the two felonies within thirty days of the convictions. The Department learned of the convictions through a notification from the Superior Court.

<sup>1</sup> The Office of Administrative Hearings' docket shows that on March 27, 2019, Mr. Haugen telephoned OAH and informed the office that he is incarcerated and he provided an updated address.

1 8. After learning of Mr. Haugen's convictions, the Department attempted to contact  
2 him by telephone, email, and by mailing letters to his home and businesses address of  
3 record, but it received no response.

4 9. The Department considers Mr. Haugen's criminal convictions to be of great  
5 concern because insurance producers have access to people's personal information,  
6 including social security numbers.

7 10. The Department considered Mr. Haugen's failure to respond to its attempts to  
8 contact him to be a concern because it shows that he may not be amenable to  
9 regulation.

10 11. The Department requests that Mr. Haugen's license be revoked.

11 **CONCLUSIONS OF LAW**

12 1. The Department bears the burden of persuasion. ARIZ. REV. STAT. § 41-  
13 1092.07(G).

14 2. The burden of proof at an administrative hearing falls to the party asserting a  
15 claim, right or entitlement. The standard of proof is that of the preponderance of the  
16 evidence. ARIZ. ADMIN. CODE § R2-19-119.

17 3. A preponderance of the evidence is:

18 The greater weight of the evidence, not necessarily  
19 established by the greater number of witnesses testifying to a  
20 fact but by evidence that has the most convincing force;  
21 superior evidentiary weight that, though not sufficient to free  
22 the mind wholly from all reasonable doubt, is still sufficient to  
incline a fair and impartial mind to one side of the issue rather  
than the other.

23 BLACK'S LAW DICTIONARY 1373 (10th ed. 2014).

24 4. Mr. Haugen was required to report to the Department that he had been  
25 convicted of a felony within thirty days of the conviction, but did not do so, which is a  
26 violation of ARIZ. REV. STAT. sections 20-301 and 20-295(A)(2), and grounds on which  
27 the Department may discipline his license.

28 5. Mr. Haugen has been convicted of two felonies, for which the Department may  
29 discipline his license. ARIZ. REV. STAT. § 20-295(A)(6).  
30

1 6. Considering the nature of Mr. Haugen's felony convictions, Mr. Haugen's  
2 license should be revoked.

3 **ORDER**

4 **IT IS ORDERED** that Joseph Keith Haugen's license number 18225532 is  
5 revoked.

6 *In the event of certification of the Administrative Law Judge Decision by the Director of*  
7 *the Office of Administrative Hearings, the effective date of the Order will be the date of*  
8 *that certification.*

9 Done this day, March 29, 2019.

10 /s/ Thomas Shedden  
11 Thomas Shedden  
12 Administrative Law Judge

13  
14 Transmitted electronically to:

15 Keith A. Schraad, Director  
16 Arizona Department of Insurance  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30