

JUN 10 2019

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE  
BY MEK

In the Matter of:

**ANNABLE, JOEL**  
(National Producer No. 19023355)

No. 19A-080-INS

**CONSENT ORDER**

Respondent.

The State of Arizona Department of Insurance ("Department") has received evidence that **Joel Annable ("Respondent")** violated provisions of Title 20, Arizona Revised Statutes. Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Finding of Facts are true, and consents to the entry of the following Conclusions of Law and Order.

**FINDINGS OF FACT**

1. Respondent is, and was at all material times, licensed as an Arizona resident insurance producer with a line of authority in life insurance, National Producer Number 19023355. Respondent's license expires on December 31, 2022.

2. Respondent's addresses of record with the Department are: 1869 E. Palmcroft, Tempe, AZ 85282 (business and mailing) and [jannablejr@gmail.com](mailto:jannablejr@gmail.com) (business e-mail).

3. On or about January 21, 2019, Respondent submitted an application for an Arizona insurance producer license ("Application") to the Department.

4. In the Application, the Background Questions, Respondent answered "No" to question 1.a. which asks:

1a. "Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a

1 misdemeanor? You may exclude the following misdemeanor convictions  
2 or pending misdemeanor charges: traffic citations, driving under the  
3 influence (DUI), driving while intoxicated (DWI), driving without a license,  
4 reckless driving, or driving with a suspended or revoked license. You may  
5 also exclude juvenile adjudications (offenses where you were adjudicated  
6 delinquent in a juvenile court).

7 5. Respondent answered "Yes" to the Attestation section of the Application.

8 6. On or about October 27, 2006, the Berrien County District Court, Berrien  
9 County, Michigan, Case No. 2006403550, convicted Respondent of Retail Fraud – Third  
10 Degree<sup>1</sup>, a misdemeanor.

#### 11 **CONCLUSIONS OF LAW**

12 1. The Director has jurisdiction over this matter.

13 2. Respondent's conduct, as described above, constitutes obtaining or  
14 attempting to obtain a license through misrepresentation or fraud, within the meaning of  
15 A.R.S. § 20-295(A)(3).

16  
17 <sup>1</sup> A person who does any of the following in a store or in its immediate vicinity is guilty of  
18 retail fraud in the third degree, a misdemeanor punishable by imprisonment for not more  
19 than 93 days or a fine of not more than \$500.00 or 3 times the value of the difference in  
20 price, property stolen, or money or property obtained or attempted to be obtained,  
21 whichever is greater, or both imprisonment and a fine: (a) While a store is open to the  
22 public, alters, transfers, removes and replaces, conceals, or otherwise misrepresents  
23 the price at which property is offered for sale, with the intent not to pay for the property  
24 or to pay less than the price at which the property is offered for sale, if the resulting  
25 difference in price is less than \$200.00. (b) While a store is open to the public, steals  
property of the store that is offered for sale at a price of less than \$200.00. (c) With  
intent to defraud, obtains or attempts to obtain money or property from the store as a  
refund or exchange for property that was not paid for and belongs to the store, if the  
amount of money, or the value of the property, obtained or attempted to be obtained is  
less than \$200.00.

1 3. Grounds exist for the Director to suspend for not more than twelve months  
2 or revoke Respondent's insurance producer license, pursuant to A.R.S. § 20-295(A).

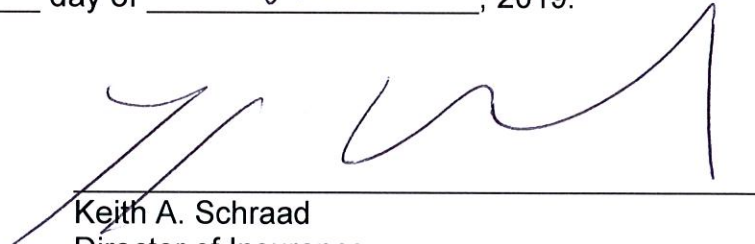
3 4. Grounds exist, in addition to or instead of any suspension, revocation or  
4 refusal to renew a license, for the Director to impose a civil penalty of not more than  
5 \$250.00 for each unintentional failure or violation, up to an aggregate civil penalty of  
6 \$2,500.00, or impose a civil penalty of not more than \$2,500.00 for each intentional  
7 failure or violation, up to an aggregate penalty of \$15,000.00, pursuant to A.R.S. § 20-  
8 295(F).

9 **ORDER**

10 IT IS HEREBY ORDERED THAT:

11 **Joel Annable**, National Producer Number 19023355, shall immediately pay a  
12 civil money penalty of \$250.00 for deposit into the State General Fund.

13 Effective this 10<sup>th</sup> day of June, 2019.

14  
15  
16   
17 Keith A. Schraad  
18 Director of Insurance

18 **CONSENT TO ORDER**

19 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of  
20 Law and Order.

21 2. Respondent admits to the jurisdiction of the Director of Insurance, State of  
22 Arizona, and admits the foregoing Findings of Fact and consents to the entry of the  
23 foregoing Conclusions of Law and Order.  
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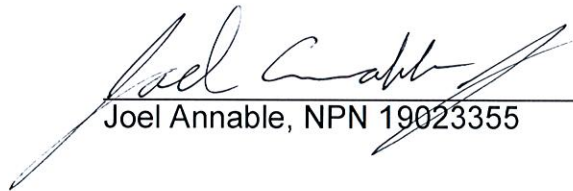
1 3. Respondent is aware of his right to notice and a hearing at which he may  
2 be represented by counsel, present evidence and examine witnesses.

3 4. Respondent irrevocably waives his right to such notice and hearing and to  
4 any court appeals relating to this Consent Order.

5 5. Respondent states that no promise of any kind or nature whatsoever,  
6 except as expressly contained in this Consent Order, was made to induce him to enter  
7 into this Consent Order and that he has entered into this Consent Order voluntarily.

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

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

19  
20 5/30/19   
21 Date \_\_\_\_\_ Joel Annable, NPN 19023355

22 **COPY** of the foregoing delivered by regular mail  
23 this 11<sup>th</sup> day of JUNE, 2019, to:

24 Joel Annable  
25 1869 E. Palmcroft Dr.  
Tempe, AZ 85282  
Respondent

1 **COPY** delivered same date to:

2 Mary Kosinski, Regulatory Legal Affairs Officer  
3 Catherine M. O'Neil, Consumer Legal Affairs Officer  
4 Steven Fromholtz, Assistant Director, Consumer Protection Division  
5 Aqueelah Currie, Licensing Supervisor  
6 Sharyn Kerr, Consumer Protection Division  
7 Arizona Department of Insurance  
8 2910 N. 44<sup>th</sup> Street, Suite 210  
9 Phoenix, Arizona 85018-7269

7 **COPY** delivered electronically, same date to:

8 Joel Annable  
9 jannablejr@gmail.com  
10 Respondent

11 *Francine Martinez*  
12 Francine Martinez

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