

OCT 07 2019

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY AS 10/07/2019

IN THE MATTER OF:

MENENDEZ, CARLOS ALBERTO
(National Producer No. 17855295)

No. 19A- 147 -INS

CONSENT ORDER

Respondent.

The State of Arizona Department of Insurance ("Department") has received evidence that **Carlos Alberto Menendez ("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 Fact 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 17855295. Respondent's license expires on March 31, 2023.

2. Respondent's addresses of record with the Department are: 2802 N. Alvernon Way, Ste 100, Tucson, AZ 85712-1500 (business and mailing) and carlos.menendezphp@gmail.com (business e-mail).

3. On February 12, 2016, Respondent submitted an application for an Arizona insurance producer license ("2016 Application") to the Department.

4. In the 2016 Application, in Section V: Additional Information, Respondent answered "No" to the following questions:

C. "Have you EVER been found guilty of, have you had a judgment made against you for, or have you admitted to, any of the following: . . . 1. A

1 felony (of any kind)? . . . 4. Withholding, misappropriating, converting or
2 stealing money or property?”

3 5. Respondent signed the 2016 Application.

4 6 On July 13, 2019, Respondent submitted a renewal application (“2019
5 Renewal”) to the Department.

6 7. In the 2019 Renewal, in Background Questions, Respondent answered
7 “Yes” to the following question:

8 1A. “Have you been convicted of a misdemeanor, had a judgment
9 withheld or deferred, or are you currently charged with committing a
10 misdemeanor which has not been previously reported to this insurance
11 department? You may exclude the following misdemeanor convictions or
12 pending misdemeanor charges: traffic citations, driving under the
13 influence (DUI), driving while intoxicated (DWI), driving without a license,
14 reckless driving, or driving with a suspended or revoked license. You may
15 also exclude juvenile adjudications (offenses where you were adjudicated
16 delinquent in a juvenile court).”

17 8. In the 2019 Renewal, in Background Questions, Respondent answered
18 “No” to the following question:

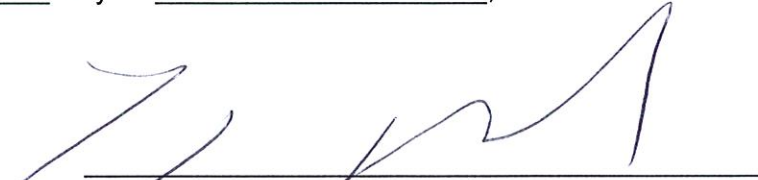
19 1B. “Have you been convicted of a felony, had a judgment withheld or
20 deferred, or are you currently charged with committing a felony which has
21 not been previously reported to this insurance department? You may
22 exclude juvenile adjudications (offenses where you were adjudicated
23 delinquent in a juvenile court).”
24
25

1 **ORDER**

2 **IT IS HEREBY ORDERED THAT:**

3 **Carlos Alberto Menendez**, National Producer Number 17855295, shall
4 immediately pay a civil money penalty of \$250.00 for deposit into the State General
5 Fund.

6 Effective this 17th day of October, 2019.

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9 _____
10 Keith A. Schraad
11 Director of Insurance

11 **CONSENT TO ORDER**

12 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of
13 Law and Order.

14 2. Respondent admits to the jurisdiction of the Director of Insurance, State of
15 Arizona, and admits the foregoing Findings of Fact and consents to the entry of the
16 foregoing Conclusions of Law and Order.

17 3. Respondent is aware of his right to notice and a hearing at which he may
18 be represented by counsel, present evidence and examine witnesses.

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

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

24 6. Respondent acknowledges that the acceptance of this Consent Order by
25 the Director is solely to settle this matter against him and does not preclude any other

1 agency, officer, or subdivision of this state including the Department from instituting civil
2 or criminal proceedings as may be appropriate now or in the future not related to this
3 matter.

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

9
10 1 Oct 2019
Date



Carlos Alberto Menendez, NPN 17855295

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14 **COPY** of the foregoing delivered by regular mail
this 8th day of October, 2019, to:

15 Carlos Alberto Menendez
16 2802 N. Alvernon Way, Ste 100
Tucson, AZ 85712-1500
17 Respondent

18 Carlos Alberto Menendez
19 1475 N. Wilmot Rd., Apt. 34D
Tucson, AZ 85712-4452
Respondent

20 **COPY** delivered same date to:

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

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

2 Carlos Alberto Menendez
3 carlos.menendezphp@gmail.com
4 Respondent

5 Carlos Alberto Menendez
6 Carlos.menendez83@gmail.com
7 Respondent

8 
9 Francine Martinez

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