

DEC 12 2019

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY 45 12/12/2019

In the Matter of:

BRECTO, TODD WAYNE
(National Producer Number 100975)

No. 19A-177-INS

CONSENT ORDER

Respondent.

The State of Arizona Department of Insurance ("Department") has received evidence that **Todd Wayne Brecto** ("Brecto" and "Respondent") violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). Respondent wishes to resolve this matter without the commencement of formal proceedings, admit the following Findings of Fact are true and consent to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Brecto was, at all material times, licensed as an Arizona resident life, accident and health or sickness, casualty, and property insurance producer. The Department issued Brecto license, number 100975¹, on August 18, 1994. The license was renewed on January 31, 2018 and is scheduled to expire on January 31, 2022.

2. Brecto's addresses of record are: 16835 North Stonebridge Court, Fountain Hills, Arizona 85268-1516 (business and mailing); and tbrecto@yahoo.com (business email).

Farmers Insurance Company Complaint

3. On or about October 19, 2019, the Department received a complaint from Farmers Insurance Company ("Farmers") District Manager Timothy Ahern ("Ahern").

¹ Arizona Legacy License ID number 25394.

1 4. Grounds exist for the Director to deny, suspend for not more than twelve months,
2 revoke or refuse to renew the insurance producer's license, within the meaning of A.R.S. § 20-
3 295(A).

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

9 **ORDER**

10 IT IS HEREBY ORDERED THAT:

11 1. **Todd Wayne Brecto**, National Producer Number 100975, shall immediately pay
12 a civil penalty of \$5,000 for deposit into the state general fund.

13 2. The producer license for, **Todd Wayne Brecto**, National Producer Number
14 100975, is suspended for 180 days, effective November 30, 2019 through May 28, 2020.

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16 DATED AND EFFECTIVE this 11th day of December, 2019.

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19 KEITH A. SCHRAAD
Director of Insurance

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CONSENT TO ORDER

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

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

3. Respondent is aware of their right to notice and to a hearing, at which he may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives his right to such notice and hearing and to any court appeals relating to this Consent Order.

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

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

6. Respondent acknowledges that this Consent Order is an administrative action the Department will report to the National Association of Insurance Commissioners ("NAIC") and that he may have to report this administrative action on any future licensing applications either to the Department or other states' Departments of Insurance.

11/29/2019
Date



Todd Wayne Brecto (NPN License No. 100975)

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COPY of the foregoing mailed/delivered
this 13th day of December, 2019, to:

Todd Wayne Brecto
16835 N Stoneridge CT
Fountain Hills, AZ 85268-1516

COPY of the foregoing delivered, same date, to:

Mary Kosinski, Regulatory Legal Affairs Officer
Catherine M. O'Neil, Consumer Legal Affairs Officer
Steven Fromholtz, Assistant Director, Consumer Protection Division
Ana Starcevic, Paralegal Project Specialist
Sharyn Kerr, Administrative Assistant, Consumer Protection Division
Aqueelah Currie, Licensing Supervisor
Jeff Eavenson, Investigator
Arizona Department of Insurance
100 N. 15th Avenue, Suite 102
Phoenix, Arizona 85007-2624

COPY sent same date via electronic mail to:

Todd Wayne Brecto
tbrecto@yahoo.com
Respondent

Francine Martinez
Francine Martinez