

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEC 17 2019

DEPT OF INSURANCE

In the Matter of:

No. 19A- 179 -INS/ AS 12/17/2019

TAIT, LYNN ALAN

CONSENT ORDER

(National Producer No. 6666349)

Respondent.

The Arizona Department of Insurance (“Department”) has received evidence that **Lynn Alan Tait (“Respondent”)** violated provisions of Title 20, Arizona Revised Statutes (“A.R.S”). 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 lines of authority in accident and health or sickness and life insurance, National Producer Number 6666349. Respondent’s license is scheduled to expire on January 31, 2021.

2. Respondent’s addresses of record with the Department are: 4352 East Cassia Lane, Gilbert, AZ 85298-8011 (business and mailing) and lynntait59@yahoo.com (business e-mail).

3. On February 11, 2014, Respondent submitted an application for an Arizona non-resident insurance producer license (“Application”) to the Department.

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1 4. In the Application, under Background Questions, Respondent answered “No”
2 to the following question:

3 1A. “Have you ever been convicted of a misdemeanor, had a judgment
4 withheld or deferred, or are you currently charged with committing a
5 misdemeanor?”

6 5. Respondent answered “Yes” to the Attestation section of the Application.

7 6. On February 21, 2014, the Department issued a non-resident insurance
8 producer license to Respondent.

9 7. During an investigation conducted by the Department in or around November
10 2019, the Department’s investigator discovered that in or about 1997 the United States
11 District Court for the District of North Dakota convicted Respondent of misdemeanor.

12 8. At the Department’s request, Respondent provided a written statement,
13 documents, and other information pertinent to the 1997 conviction.

14 **CONCLUSIONS OF LAW**

15 1. The Director of the Arizona Department of Insurance (the “Director”) has
16 jurisdiction over this matter.

17 2. Respondent’s conduct, as described above, constitutes providing incorrect,
18 misleading, incomplete or materially untrue information in the license application, within the
19 meaning of A.R.S. § 20-295(A)(1).

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

22 4. Grounds exist, in addition to or instead of any suspension or revocation, for the
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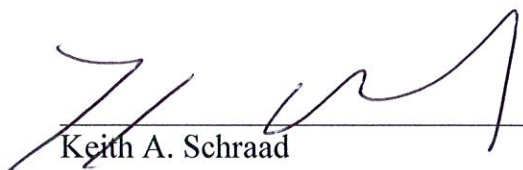
1 Director to impose a civil penalty of not more than \$250 dollars for each unintentional
2 failure or violation, up to an aggregate civil penalty of \$2,500.00, or impose a civil penalty of
3 not more than \$2,500.00 for each intentional failure or violation, up to an aggregate civil
4 penalty of \$15,000.00, within the meaning of A.R.S. § 20-295(F).

5 **ORDER**

6 IT IS HEREBY ORDERED THAT:

7 1. Respondent shall immediately pay to the Department a civil money penalty of
8 two hundred fifty dollars (\$250.00) for deposit into the State General Fund.

9 Effective this 17th day of December, 2019.

10
11 
12 Keith A. Schraad
13 Director of the Arizona Department of Insurance

14 **CONSENT TO ORDER**

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

17 2. Respondent admits to the jurisdiction of the Director of the Arizona
18 Department of Insurance and admits the foregoing Findings of Fact and consents to the entry
19 of the foregoing Conclusions of Law and Order.

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

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

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

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

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

15 12/13/19
16 Date

Lynn Alan Tait
Lynn Alan Tait, NPN 6666349

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19 **COPY** of the foregoing delivered by U.S. First-Class Mail
20 this 18th day of December, 2019, to:

21 Lynn Alan Tait
22 4352 East Cassia Lane
 Gilbert, AA 85298-8011
 Respondent

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COPY delivered same date to:

Mary Kosinski, Regulatory Legal Affairs Officer
Ana Starcevic, Paralegal Project Specialist
Catherine M. O'Neil, Consumer Legal Affairs Office
Steven Fromholtz, Assistant Director, Consumer Protection Division
Aqueelah Currie, Licensing Supervisor
Linda Lutz, Legal Assistant
Arizona Department of Insurance
100 North 15th Avenue, Suite 102
Phoenix, Arizona 85007

COPY delivered electronically, same date to:

Lynn Alan Tait
lynntait59@yahoo.com
Respondent

Francine Martinez
Francine Martinez