

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of the Insurance Producer  
License of:

No. 20A-040-INS

**JUSTIN SHEEHAN**

**ORDER**

Petitioner

On February 1, 2021, the Office of Administrative Hearings through Administrative Law Judge Velva Moses-Thompson issued an Administrative Law Judge Decision (“Recommended Decision”) received by the Director of the Arizona Department of Insurance and Financial Institutions (“Director”) on February 8, 2021, a copy of which is attached and incorporated by reference. The Director has reviewed the Recommended Decision and enters the following:

1. The Director ADOPTS the Recommended Findings of Fact.
2. The Director ADOPTS the Recommended Conclusions of Law.
3. The Director ADOPTS the Recommended Order and orders that Justin Sheehan’s Arizona insurance producer license, number 19203584, is revoked effective immediately.


**4. NOTIFICATION OF RIGHTS**

Pursuant to Arizona Revised Statutes (“A.R.S.”) § 41-1092.09, Respondent may request a rehearing or review with respect to this Order by filing a written motion with the Director of the Department of Insurance and Financial Institutions within 30 days after the date of this Order, setting forth the basis for relief under Arizona Administrative Code 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 the Superior Court.

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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 A.R.S. § 12-904(B).

5 DATED this 17<sup>th</sup> day of February, 2021.

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9 Evan G. Daniels, Director  
Arizona Department of Insurance and  
Financial Institutions

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**COPY** of the foregoing electronically transmitted  
this 18<sup>th</sup> day of February, 2021, to:

Velva Moses-Thompson, Administrative Law Judge  
Office of Administrative Hearings  
<https://portal.azoah.com/submission>

**COPY** mailed same date by U.S.  
Certified Mail, Electronic Receipt Requested, to:

Justin Sheehan  
2470 West Ruthrauff Road, Suite 100-160  
Tucson, AZ 85705  
Respondent

7006 0810 0002 1988 9801

Justin Sheehan  
6956 S. Stonefield Dr.  
Tucson, AZ 85756  
Respondent

7006 0810 0002 1988 9818

1 **COPY** of the foregoing delivered/mailed same date to:

2 Deian Ousounov, Regulatory Legal Affairs Officer  
3 Ana Starcevic, Paralegal Project Specialist  
4 Steven Fromholtz, Licensing Division Manager  
5 Aqueelah Currie, Licensing Supervisor  
6 Arizona Department of Insurance and Financial Institutions  
7 100 N 15<sup>th</sup> Avenue, Suite 261  
8 Phoenix, Arizona 85007

9 Justin Sheehan  
10 [jsheehan88@hotmail.com](mailto:jsheehan88@hotmail.com)  
11 Respondent

12 Holly Wan, Assistant Attorney General  
13 [AdminLaw@azag.gov](mailto:AdminLaw@azag.gov)  
14 Attorney for the Department of  
15 Insurance and Financial Institutions

16 *Ana Starcevic* for \_\_\_\_\_  
17 Francine Juarez

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IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

No. 20A-040-INS

JUSTIN SHEEHAN,  
(National Producer No. 19203584)

ADMINISTRATIVE LAW JUDGE  
DECISION

RESPONDENT.

**HEARING:** February 1, 2021

**APPEARANCES:** Assistant Attorney General Holly Wan appeared on behalf of the Arizona Department of Insurance and Financial Institutions. Respondent Justin Sheehan did not appear.

**ADMINISTRATIVE LAW JUDGE:** Velva Moses-Thompson

**FINDINGS OF FACT**

1. On October 22, 2020, the Arizona Department of Insurance and Financial Institutions (Department) issued a Notice of Hearing and Complaint setting the above-captioned matter for hearing at 1:00 p.m. on December 10, 2020, at the Office of Administrative Hearings in Phoenix, Arizona.<sup>1</sup>

2. Respondent did not appear at the scheduled time and the matter was convened in his absence at about 1:15 p.m. on February 1, 2021.

3. The Department presented the testimony of Department Licensing Supervisor, Aqueelah Currie, and submitted exhibits 1 through 3, and 5.

4. Respondent Justin Sheehan was at all material times, licensed as an Arizona resident insurance producer with a line of authority in life insurance, National Producer Number 19203584.<sup>2</sup>

5. Respondent's license expires on April 30, 2023.<sup>3</sup>

<sup>1</sup> The hearing was continued to February 1, 2021.

<sup>2</sup> See Exhibit 1.

<sup>3</sup> See Exhibit 1.

1           6. On June 19, 2019, Respondent filed an application for an Arizona insurance  
2 producer license (application) with the Department.

3           7. Mr. Sheehan responded “No” to the following question:

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

7           8. Mr. Sheehan answered “Yes” to the attestation.

8           9. On June 21, 2019, the Department issued an insurance producer license to  
9 Mr. Sheehan.

10           10. The Federal Bureau of Investigations conducted a background check and  
11 discovered that Mr. Sheehan was convicted of a misdemeanor for Sexual Abuse in the  
12 3<sup>rd</sup> Degree in the Buffalo City Court, State of New York.

#### 13                                   **CONCLUSIONS OF LAW**

14           1. The Department bears the burden of persuasion. ARIZ. REV. STAT. § 41-  
15 1092.07(G)(2).

16           2. The standard of proof on all issues is that of a preponderance of the evidence.  
17 Ariz. Admin. Code § R2-19-119.

18           3. A preponderance of the evidence is:

19                   The greater weight of the evidence, not necessarily established  
20 by the greater number of witnesses testifying to a fact but by  
21 evidence that has the most convincing force; superior  
22 evidentiary weight that, though not sufficient to free the mind  
23 wholly from all reasonable doubt, is still sufficient to incline a fair  
24 and impartial mind to one side of the issue rather than the other.  
25 BLACK’S LAW DICTIONARY 1373 (10th ed. 2014).

26           4. The preponderance of the evidence shows that Mr. Sheehan provided  
27 materially untrue information on the license application, which is a violation of A.R.S. §  
28 20-295(A)(1).

29           5. Respondent’s conduct constitutes a violation of ARIZ. REV. STAT., Title 20,  
30 which provides grounds for the Director of the Department to revoke Respondent’s  
license. See ARIZ. REV. STAT. § 20-295(A) and (F).

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**RECOMMENDED ORDER**

**IT IS ORDERED** that Respondent Justin Sheehan’s License No. 19203584 is  
revoked.

*In the event of certification of the Administrative Law Judge Decision by the  
Director of the Office of Administrative Hearings, the effective date of the Order is five  
days after the date of that certification.*

Done this day, February 1, 2021.

/s/ Velva Moses-Thompson  
Administrative Law Judge

Transmitted electronically to:  
Christina Corieri, Interim Director  
Arizona Department of Insurance