

**STATE OF ARIZONA**

**DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS**

In the Matter of an Appeal by:

**JASMINE P. SIMS**

Petitioner.

**No. 23A- 070 - INS**

**CONSENT ORDER**

The Arizona Department of Insurance and Financial Institutions (“Department”) has received evidence that Jasmine P. Sims (“Petitioner”) violated provisions of Arizona Revised Statutes (“A.R.S.”) Title 20. Petitioner wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true, and consents to the entry of the following Conclusions of Law and Order.

**FINDINGS OF FACT**

1. On or about August 18, 2023, Petitioner submitted an application to the Department for an Arizona insurance producer license through the National Insurance Producer Registry (the “Application”).

2. While completing the Application, under Background Questions, Petitioner answered “No” to the following question, quoted in part, “[h]ave you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor? You may exclude the following misdemeanor convictions or pending misdemeanor charges: traffic citations, driving under the influence (DUI), driving while intoxicated (DWI),

1 driving without a license, reckless driving, or driving with a suspended or  
2 revoked license. You may also exclude juvenile adjudications (offenses where  
3 you were adjudicated delinquent in a juvenile court).”

4 3. Petitioner answered “Yes” to the Attestation section of the Application.

5 4. Petitioner’s criminal background check revealed that in or about 2014, in the  
6 Miamisburg Municipal Court, State of Ohio, Case No. 14CRB01284, Petitioner was  
7 convicted of disorderly conduct, a misdemeanor.

8 5. On or about September 21, 2023, the Department sent a letter to Petitioner  
9 informing her that her license application was denied due to “[p]roviding incorrect,  
10 misleading, incomplete or materially untrue information in the license application” and/or  
11 “[o]btaining or attempting to obtain a license through misrepresentation or fraud.”

12 6. On or about September 21, 2023, Petitioner appealed the Department’s denial  
13 and subsequently requested an informal settlement conference (“ISC”).

14 7. The ISC was held on September 28, 2023, during which the parties agreed to a  
15 settlement.

16 **CONCLUSIONS OF LAW**

17 8. The Director has jurisdiction over this matter.

18 9. Petitioner’s conduct, as described above, constitutes a violation of Title 20 or  
19 any rule, subpoena or order of the Director. A.R.S. § 20-295(A)(2).

20 10. Petitioner’s conduct, as described above, constitutes providing incorrect and  
21 incomplete information in the license application. A.R.S. § 20-295(A)(1).

22 11. Grounds exist for the Director to deny an insurance producer license. A.R.S.

1 § 20-295(A).

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

7 **ORDER**

8 **IT IS HEREBY ORDERED THAT:**

9 Jasmine Sims shall immediately pay to the Department a civil money penalty in the  
10 amount of two hundred fifty dollars (\$250.00).

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12 Effective this 13<sup>th</sup> day of October, 2023.

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*Barbara D. Richardson*

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Barbara D. Richardson  
Cabinet Executive Officer  
Executive Deputy Director  
Arizona Department of Insurance and Financial Institutions

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**CONSENT TO ORDER**

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1. Petitioner acknowledges that it has been served with a copy of the foregoing Consent Order in the above-referenced matter, has read it, is aware of its right to an administrative hearing in this matter and has knowingly and voluntarily waived that right.

2. Petitioner accepts the personal and subject matter jurisdiction of the Department over it in this matter.

3. Petitioner acknowledges that no promise of any kind or nature has been made to induce it to sign the Consent to Order and it has done so knowingly and voluntarily.

4. Petitioner acknowledges and agrees that the acceptance of this Consent to Order by the Director is solely to settle this matter and does not preclude the Department from instituting other proceedings as may be appropriate now or in the future. Furthermore, and notwithstanding any language in this Consent Order, this Consent Order does not preclude in any way any other state agency or officer or political subdivision of this state from instituting proceedings, investigating claims, or taking legal action as may be appropriate now or in the future relating to this matter or other matters concerning Petitioner, including but not limited to violations of Arizona's Consumer Fraud Act. Petitioner acknowledges that, other than with respect to the Department, this Consent Order makes no representations, implied or otherwise, about the views or intended actions of any other state agency or officer or political subdivision of the state relating to this matter or other matters concerning Petitioner.

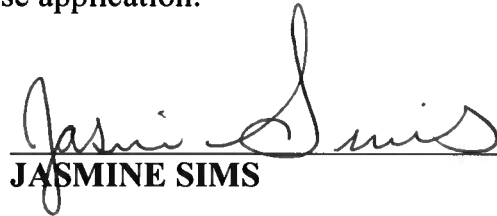
5. Petitioner acknowledges and agrees that failure to correct the violations set forth above in this Consent Order, or any repeat findings of the above violations in the

1 future, can result in disciplinary action which may include a greater civil money penalty and  
2 suspension or revocation of its license.

3 6. Petitioner waives all rights to seek an administrative or judicial review or  
4 otherwise to challenge or contest the validity of this Consent Order and its accompanying  
5 parts before any court of competent jurisdiction.

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

11  
12 October 6, 2023  
DATE

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JASMINE SIMS

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1 **COPY** of the foregoing delivered via email  
this 13<sup>th</sup> day of October, 2023, to:

2 Jasmine Sims  
3 employment9875@gmail.com  
4 Petitioner

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

6 Deian Ousounov, Assistant Director  
7 Gio Espinosa, Regulatory Legal Affairs Officer  
8 Ana Starcevic, Paralegal Project Specialist  
9 Cathy O'Neil, Consumer Regulatory Affairs Officer  
10 Steven Fromholtz, Division Manager, Licensing  
11 Linda Lutz, Legal Assistant, Licensing  
12 Aqueelah Currie, Licensing Supervisor  
13 Arizona Department of Insurance and Financial Institutions  
14 100 North 15th Avenue, Suite 261  
15 Phoenix, Arizona 85007-2630

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*Ana Starcevic*

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