

STATE OF ARIZONA
Department of Insurance and Financial Institutions
FILED June 7, 2024 by AS

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STATE OF ARIZONA
DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:
JEAN GORDON
(National Producer No. 17110654)

Respondent

No. 24A-009-INS
DEFAULT ORDER

On April 30, 2024, the Arizona Department of Insurance and Financial Institutions (the "Department") issued a Notice of Hearing ("Notice") in the above-captioned matter, a copy of which is attached as **Exhibit A** and incorporated by this reference. The Notice required Jean Gordon ("Respondent") to provide a written answer to the allegations set forth in the Notice within twenty days of the issuance of the Notice. As of this date, Respondent has failed to file an answer. On May 24, 2024, counsel for the Department filed a Motion for Default, a copy of which is attached as **Exhibit B**. As of this date, Respondent has not responded to the Department's motion. Pursuant to A.A.C. R20-6-106(D), a party that fails to file an answer within the time provided shall be deemed to be in default and one or more of the allegations in the Notice of Hearing may be deemed to be admitted.

FINDINGS OF FACT

1. Notice was proper.
2. Respondent is in default.
3. The allegations in the Notice are deemed admitted.

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CONCLUSIONS OF LAW

1. The conduct alleged in the Notice constitutes grounds for the Director to suspend, revoke or refuse to renew Respondent’s license to transact insurance in Arizona, pursuant to A.R.S. §20-295(A).

ORDER

IT IS ORDERED:

1. The Arizona insurance producer license, National Producer Number 17110654, held by Respondent Jean Gordon is revoked effective upon the issuance of this Order.
2. The hearing set for **June 11, 2024 at 9:30 a.m.** shall be vacated.

DATED and EFFECTIVE this 7th day of June, 2024.

Barbara D. Richardson

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

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COPY of the foregoing electronically filed this
10th day of June, 2024 to:

Jenna Clark, Administrative Law Judge
<https://portal.azoah.com/submission>
Office of Administrative Hearings

COPY of the foregoing emailed same date to:

Alena Caravetta, Regulatory Legal Affairs Officer
Deian Ousounov, Chief Financial Deputy Director
Ana Starcevic, Paralegal Project Specialist
Jesus Acosta, Insurance Analyst/Investigator
Arizona Department of Insurance and Financial Institutions

Zachary Howard, Assistant Attorney General
AdminLaw@azag.gov
Attorney for the Arizona Department of Insurance and Financial Institutions

COPY mailed and emailed same date to:

Jean Gordon
5422 W. Pershing Ave.
Glendale, AZ 85304

Respondent 9489 0090 0027 6599 3045 56

Jean Gordon
nojojeana@gmail.com
Respondent

Ana Starcevic

120855

Exhibit A

STATE OF ARIZONA
DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

No. 24A-009-INS

JEAN GORDON
(National Producer Number 17110654)

NOTICE OF HEARING AND
COMPLAINT

Respondent.

(ALJ Jenna Clark)

DIRECTED TO:

Jean Gordon
5422 W. Pershing Ave.
Glendale, AZ 85304
Respondent

YOU ARE HEREBY NOTIFIED that under Arizona Revised Statutes (“A.R.S.”) §§ 20-161 and 41-1092.01, the above-captioned matter will be conducted through the Office of Administrative Hearings, an independent agency.

Date of Hearing:
June 11, 2024 at 9:30 a.m.

Location:
Office of Administrative Hearings
1740 W. Adams St.
Lower Level
Phoenix, AZ 85007

Information regarding procedures, practice pointers, or the online filing of motions is available through the Office of Administrative Hearings’ website at www.azoah.com, or by calling their offices at (602) 542-9826.

The Office of Administrative Hearings has designated Jenna Clark, at the address and phone number listed above, as the Administrative Law Judge for these proceedings.

Under the Americans with Disabilities Act (“ADA”), the Office of Administrative Hearings endeavors to ensure the accessibility of its hearings to all persons with disabilities.

1 Persons with disabilities may request reasonable accommodations such as interpreters,
2 alternative formats, or assistance with physical accessibility. Requests for accommodations
3 should be made as far in advance of the Hearing as possible to allow time to arrange the
4 accommodations. If you require accommodations, please contact the Office of
5 Administrative Hearings by calling their offices at (602) 542-9826.

6 Under Arizona Administrative Code (A.A.C.) R2-19-106 and R2-19-110, motions to
7 continue this matter shall be made in writing to the Administrative Law Judge at least fifteen
8 (15) days before the Hearing date, unless good cause is demonstrated. A copy of any motion
9 to continue shall be filed and served according to A.A.C. R2-19-108, with a copy provided to
10 the Assistant Attorney General identified below.

11 You may appear on the date and at the time and place specified in this Notice with or
12 without the assistance of counsel. An insurance company may be represented by a corporate
13 officer pursuant to A.R.S. § 20-161(B). Additionally, you have the right to present evidence
14 in response to the allegations in this Notice, to have a reasonable opportunity to inspect all
15 documentary evidence, to examine witnesses, to present evidence in support of your
16 interests, and to have subpoenas issued by the Administrative Law Judge to compel the
17 attendance of witnesses and the production of evidence. If you fail to appear at the
18 administrative hearing (the "Hearing"), the Administrative Law Judge can proceed with the
19 Hearing and issue a Recommended Decision. The Director of the Arizona Department of
20 Insurance and Financial Institutions (the "Director") can then consider the Recommended
21 Decision and make a final determination on this matter.

22 Under A.R.S. § 41-1092.07(E), a clear and accurate record of the proceedings will be
23 made by a court reporter or by electronic means. Any party that requests a transcript of the
24 proceedings shall pay the cost of the transcript for the court reporter or other transcriber.

25 **Under A.A.C. R20-6-106, within twenty (20) days after service of a Notice of**
26 **Hearing, the Respondent shall appear by filing a written Answer to the allegations in**

1 **the Notice. The Answer shall state Respondent’s position or defense and shall**
2 **specifically admit or deny each assertion in the Notice. Any allegation not denied shall**
3 **be deemed admitted. Any defense not raised will be considered waived. If a timely**
4 **Answer is not filed, Respondent may be deemed in default and the Director may deem**
5 **the allegations in the Notice as true and admitted. Accordingly, the Director may take**
6 **whatever action is deemed appropriate.**

7 Pursuant to A.R.S. § 41-1092.06, Respondent has the right to request an informal
8 settlement conference (“ISC”) by filing a written request with the Arizona Department of
9 Insurance and Financial Institutions (“Department”) no later than **twenty (20) days** before
10 the scheduled hearing. The ISC will be held within **fifteen (15) days** after receiving the
11 request. If an ISC is requested, a person with the authority to act on behalf of the
12 Department will be present.

13 Please note that in requesting an ISC, Respondent waives any right to object to the
14 participation of the Department’s representative in the final administrative decision of this
15 matter. Any statements, either written or oral, made by the Department, Respondent, or their
16 representatives at an ISC, including a written document created or expressed solely for the
17 purpose of settlement negotiations, are inadmissible in any subsequent administrative
18 hearing. *See* A.R.S. § 41-1092.06.

19 Questions concerning issues raised in this Notice should be directed to Assistant
20 Attorney General Zachary Howard, 2005 North Central Avenue, Phoenix, AZ 85004,
21 telephone number (602) 542-7769, or by e-mail at Zachary.Howard@azag.gov.

22 The purpose of the Hearing is to determine whether grounds exist to revoke
23 Respondent’s Arizona insurance producer license. In support of its position that grounds
24 exist, the Department alleges the following:

25 ...
26 ...

1 **PARTIES & JURISDICTION**

2 1. The Department was created and enabled to administer certain laws of the
3 State of Arizona including the licensure and regulation of the insurance producer profession
4 in this state. A.R.S. § 20-142 and A.R.S. §§ 20-281 *et seq.*

5 2. Jean Gordon (“Gordon” or “Respondent”) holds a license as an Arizona
6 insurance producer.

7 3. The Office of Administrative Hearings has subject matter and personal
8 jurisdiction over the named parties in this Notice under A.R.S. § 20-161 and A.R.S. §§ 41-
9 1092 *et seq.*

10 **FACTS**

11 4. On December 19, 2021, the Department issued to Respondent an Arizona
12 resident insurance producer license, National Producer Number 17110654, with a single line
13 of authority: Life. Her license is scheduled to expire October 31, 2025.

14 5. Gordon’s address of record with the Department is 5422 W. Pershing Ave.
15 Glendale, Arizona 85304 (mailing and business). Gordon’s e-mail address of record is
16 nojojeana@gmail.com.

17 6. On October 17, 2023, the Department received a case referral from National
18 Life Insurance Company (“National Life”) reporting that following an investigation,
19 National Life discovered Respondent had solicited ten (10) insurance policies for out-of-state
20 residents in jurisdictions where she was not currently licensed at the time of execution, while
21 claiming those persons a held residency in Arizona.

22 **Pamela Frankel Complaint**

23 7. National Life initiated their investigation upon receiving a Complaint from
24 Pamela Frenkel submitted on May 16, 2023.

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1 d. One policy was observed for a resident of Arizona, however, upon review
2 of CLEAR, the policyholder reflected a current residency in Michigan with
3 a driver's license in Michigan. When reviewing the policy file, it was
4 further observed that the policyholder's address was updated to Michigan.

5 11. The investigation also reviewed a narrative response from Gordon herself
6 addressing the allegations in Ms. Frenkel's complaint. In her response, Gordon admitted to
7 misrepresenting Frenkel's residency in the application. She expressed that saying Frenkel
8 was living in Arizona was "something I never should have done."¹

9 **Failure to Comply with Department Subpoena**

10 12. On November 20, 2023, an investigator for the Department e-mailed Gordon
11 notifying her of the referral from National Life and requesting that she provide a narrative
12 response to the allegations against her and to provide any other documentation that may
13 assist in responding to the allegations. The Department requested that she respond by
14 December 1, 2023.

15 13. After receiving no response by the December 1, 2023 deadline, the investigator
16 provided Gordon an extension until December 15, 2023, to provide the requested materials.
17 No contact was made by Gordon and no materials were provided to the Department by
18 December 15, 2023.

19 14. On January 3, 2024, the Department issued a subpoena to demand that Gordon
20 mail or deliver "any and all documents related to the alleged solicitation from within Arizona
21 for clients who do not actually hold any Arizona residency, by you Jean Gordon, NPN
22 1710654" to the Department by January 19, 2024. Subpoena notices were sent to Gordon's
23 e-mail address. Gordon did not provide the requested documents by January 19, 2024.

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25 _____
26 ¹ Ms. Frenkel's residence was actually located in the state of New York.

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2. Any further relief that the tribunal deems appropriate.

DATED this 30 day of April, 2024.

Alena Caravetta

Alena Caravetta, Regulatory Legal Affairs Officer
Arizona Department of Insurance and
Financial Institutions

1 **E-FILE** of the foregoing delivered electronically
2 this 30th day of April, 2024, to:

3 Jenna Clark, Administrative Law Judge
4 <https://portal.azoah.com/submission>
5 Office of Administrative Hearings

6 **COPY** of the foregoing mailed by U.S. Certified Mail,
7 Electronic Receipt Requested, same date to:

8 Jean Gordon
9 5422 W. Pershing Ave.
10 Glendale, AZ 85304

11 *Responden* 9489 0090 0027 6556 3623 15

12 **COPY** of the foregoing electronically delivered same date to:

13 Alena Caravetta, Regulatory Legal Affairs Officer
14 Ana Starcevic, Paralegal Project Specialist
15 Jesus Acosta, Investigator
16 Arizona Department of Insurance and Financial Institutions
17 100 North 15th Avenue, Suite 261
18 Phoenix, Arizona 85007

19 Jean Gordon
20 noioieana@gmail.com
21 *Respondent*

22 Zachary Howard, Assistant Attorneys General
23 Zachary.Howard@azag.gov
24 Adminlaw@azag.gov
25 *Attorney for the Arizona Department*
26 *of Insurance and Financial Institutions*

27 *Ana Starcevic*

28 12023277

Exhibit B

STATE OF ARIZONA
Department of Insurance and Financial Institutions
FILED May 24, 2024, 2024 by AS

1 KRISTIN K. MAYES
Attorney General
2 Firm Bar No. 14000

3 Zachary Howard
State Bar No. 035168
4 Assistant Attorney General
Public Law Section
5 2005 N. Central Ave.
Phoenix, Arizona 85004
6 Telephone: (602) 542-7769
Facsimile: (602) 542-4385
7 E-mail: Zachary.Howard@azag.gov
Attorney for the Arizona Department of Insurance
8 and Financial Institutions

9 STATE OF ARIZONA

10 DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

11 In the Matter of:
12 **JEAN GORDON**
13 (National Producer No. 17110654)

No. 24A-009-INS
MOTION FOR DEFAULT

14 Respondent

15 The Arizona Department of Insurance and Financial Institutions (the "Department"),
16 by and through undersigned counsel, hereby requests that the Findings of Fact and
17 Conclusions of Law set forth in the Notice of Hearing and incorporated herein by reference
18 be entered in this matter, deeming Jean Gordon ("Gordon") in default, deeming the
19 allegations set forth in the Notice as true, and ordering that Respondent's insurance license
20 be revoked.
21

22 On April 30, 2024, a Notice of Hearing and Complaint ("Notice") was filed in this
23 matter and served upon Gordon at her mailing address of record via regular mail and
24 certified mail pursuant to A.R.S. § 41-1092.04. The Notice was also sent to Gordon via her
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1 e-mail address of record.

2 Gordon had twenty (20) days from the date of issuance of the Notice to file a written
3 answer to the allegations contained therein pursuant to Arizona Administrative Code
4 (“A.A.C”) R20-6-106. As of the date of this Motion, Gordon has not filed an answer nor has
5 she appeared through counsel. Rule 20-6-106(D) of the Arizona Administrative Code
6 provides that if an answer is not timely filed, the Respondent shall be deemed in default and
7 the Director may deem the allegations set forth in the Notice of Hearing as true and take
8 whatever action is appropriate including revoking the license.

9
10 The allegations supporting the Notice of Hearing are as follows:

11 1. On December 19, 2021, the Department issued to Respondent an Arizona
12 resident insurance producer license, National Producer Number 17110654, with a single line
13 of authority: Life. Her license is scheduled to expire October 31, 2025.

14
15 2. Gordon’s address of record with the Department is 5422 W. Pershing Ave.
16 Glendale, Arizona 85304 (mailing and business). Gordon’s e-mail address of record is
17 nojojeana@gmail.com.

18
19 3. On October 17, 2023, the Department received a case referral from National
20 Life Insurance Company (“National Life”) reporting that following an investigation,
21 National Life discovered Respondent had solicited ten (10) insurance policies for out of state
22 residents in jurisdictions where she was not currently licensed at the time of execution, while
23 claiming those persons held residency in Arizona.

24 ///

25 ///

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Pamela Frankel Complaint

1
2 4. National Life initiated their investigation upon receiving a Complaint from
3 Pamela Frenkel submitted on May 16, 2023.

4 5. In her Complaint, Ms. Frenkel alleged that she was sold a policy under false
5 pretenses. She asserted that she had never lived in Arizona, had never worked for the “W
6 Group” and that the information listed in her insurance application was false.
7

National Life Insurance Company Investigation

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9 6. The Complaint by Ms. Frenkel was referred to National Life’s Special
10 Investigation’s Unit for review.

11 7. An Investigation Summary from the Special Investigations Unit of National
12 Life regarding their investigation of Ms. Gordon provided the following information:
13

14 a. When reviewing Gordon’s book of business there were at least ten (10)
15 policies, including Ms. Frenkel’s, written in Arizona for residents of states in which Gordon
16 was not licensed at the time of execution. These states included Indiana, Maryland,
17 Michigan, New Jersey, four (4) policies in New York, and two (2) policies in Texas.

18 b. Of those ten (10) policies, at least five (5) policies written in Arizona for
19 residents in states other than Arizona have an accompanying State of Execution form
20 indicating that the policyholders have a second residence in Arizona. However, upon review
21 of CLEAR (Canadian Loss Experience Automobile Rating) records it was determined that
22 none of the policyholders claimed a second residence in Arizona.
23

24 c. Of the ten (10) policies, at least four (4) of the policies provided the
25 insured’s address as “100 W. Maryland Ave Unit J2 Phoenix, AZ 85013” and then updated
26

1 the insured's address to a New York address within the first policy year. When reviewing
2 records on CLEAR that address was not observed to be associated with any of the four (4)
3 policyowners and was in fact associated with Gordon and her daughters.

4 d. One policy was observed for a resident of Arizona, however upon
5 review of CLEAR, the policyholder reflected current residency in Michigan with a driver's
6 license in Michigan. When reviewing the policy file, it was further observed that the
7 policyholder's address was updated to Michigan.
8

9 8. The investigation also reviewed a narrative response from Gordon herself
10 addressing the allegations in Ms. Frenkel's complaint. In her response, Gordon admitted to
11 misrepresenting Frenkel's residency in the application. She expressed that saying Frenkel
12 was living in Arizona was "something I never should have done."¹
13

14 **Failure to Comply with Department Subpoena**

15 9. On November 20, 2023, an investigator for the Department e-mailed Gordon
16 notifying her of the referral from National Life and requesting that she provide a narrative
17 response to the allegations against her and to provide any other documentation that may
18 assist in responding to the allegations. The Department requested that she respond by
19 December 1, 2023.
20

21 10. After receiving no response by the December 1, 2023 deadline, the investigator
22 provided Gordon an extension until December 15, 2023 to provide the requested materials.
23
24

25 ¹ Ms. Frenkel's residence was actually located in the state of New York.
26

1 No contact was made by Gordon and no materials were provided to the Department by
2 December 15, 2023.

3 11. On January 3, 2024, the Department issued a subpoena to demand that Gordon
4 mail or deliver “any and all documents related to the alleged solicitation from within Arizona
5 for clients who do not actually hold any Arizona residency, by you Jean Gordon, NPN
6 1710654” to the Department by January 19, 2024. Subpoena notices were sent to Gordon’s
7 e-mail address. Gordon did not provide the requested documents by January 19, 2024.

8
9 12. On February 7, 2024, a cover letter, a copy of the subpoena, and copies of the
10 prior e-mail communications sent by the Department to Gordon were sent via certified mail.
11 Gordon was provided with an extended due date of February 16, 2024, by which to comply
12 with the subpoena. Gordon failed to respond by the February 16, 2024 deadline, nor has any
13 response from Gordon been received by the Department since.
14

15 **CONCLUSIONS OF LAW**

16 13. The Director has jurisdiction over this matter.

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

20 15. Respondent’s conduct, as described above, constitutes intentionally
21 misrepresenting the terms of an actual or proposed insurance contract or application for
22 insurance under A.R.S. § 20-295(A)(5).

23 16. Respondent’s conduct, as described above, constitutes using fraudulent,
24 coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or
25 financial irresponsibility in the conduct of business in this state or elsewhere under A.R.S. §
26

1 20-295(A)(8).

2 17. Grounds exist for the Director to suspend, revoke or refuse to renew
3 Respondent's insurance producer license pursuant to A.R.S. § 20-295(A)(2), (A)(5), and
4 (A)(8).

5 Based upon the foregoing, the Department respectfully requests that the allegations set
6 forth in the April 30, 2024 Notice of Hearing and Complaint be deemed admitted and that
7 Respondent's insurance license be revoked.
8

9 RESPECTFULLY SUBMITTED this 24th day of May, 2024.

10 KRISTIN K. MAYES, Attorney General

11 By /s/ Zachary Howard

12 Zachary Howard, Assistant Attorney General
13 Attorney for the Arizona Department of Insurance
14 and Financial Institutions
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18 **COPY** of the foregoing electronically filed this
19 24th day of May, 2024 with:

20 Barbara D. Richardson, Cabinet Executive Officer
21 c/o of Deian Ousounov, Chief Financial Deputy Director
22 Arizona Department of Insurance and Financial Institutions

23 COPY of the foregoing emailed this same date to:

24 Alena Caravetta, Regulatory Legal Affairs Officer
25 Ana Starcevic, Paralegal Project Specialist
26 Jesus Acosta, Insurance Analyst/Investigator
Arizona Department of Insurance and Financial Institutions

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COPY emailed this same date to:

Jean Gordon

nojojeana@gmail.com

Respondent

/s/ S. Hack

12085059