STATE OF ARIZONA

Department of Insurance and Financial Institutions

FILED _______, 2024 by MK

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

ALEXANDER JOYCE **ORDER** (NATIONAL PRODUCER NO. 16775731)

AND

REJOYCE FINANCIAL LLC (NATIONAL PRODUCER NO. 17793560)

Respondents

No. 24A-024-INS

On August 21, 2024, the Office of Administrative Hearings, through Administrative Law Judge Samuel Fox, issued an Administrative Law Judge Decision ("Recommended Decision"). The Arizona Department of Insurance and Financial Institutions' ("Department") Director ("Director") received the Recommended Decision on the same date, a copy of which is attached and incorporated by reference. Respondents failed to accept the Recommended Decision within ten days of receipt. Therefore, the Director has reviewed the Recommended Decision and enters the following:

- 1. The Director ADOPTS the Findings of Fact;
- 2. The Director ADOPTS the Conclusions of Law;
- The Director ADOPTS the Recommended Order; and
- 4. The Director ORDERS that:
 - Alexander Joyce's Arizona non-resident insurance producer license, National Producer No. 16775731, is revoked effective immediately.
 - Rejoyce Financial LLC's Arizona non-resident insurance producer license.

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National Producer No. 17793560, is revoked effective immediately.

- Alexander Joyce shall immediately pay to the Department a civil money penalty in the amount of five hundred dollars (\$500.00) for intentionally violating Arizona Revised Statutes (A.R.S.) § 20-295(A)(1).
- Rejoyce Financial LLC shall immediately pay to the Department a civil money penalty in the amount of five hundred dollars (\$500.00) for intentionally violating A.R.S. § 20-295(A)(1).

NOTIFICATION OF RIGHTS

Pursuant to A.R.S. § 41-1092.09, Respondents may request a rehearing or review with respect to this Order by filing a written motion with the Department 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.

Respondents may appeal the final decision of the Department to the Superior Court of Maricopa County for judicial review, pursuant to A.R.S. § 20-166. A party filing an appeal must notify the Office of Administrative Hearings of the appeal within ten days after filing the complaint commencing the appeal, pursuant to A.R.S. § 12-904(B).

DATED and EFFECTIVE this _____ day of ____ september _____, 2024

Barbara D. Richardson

Barbara D. Richardson, Director

Arizona Department of Insurance and Financial Institutions

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1	ORIGINAL of the foregoing filed electronically this 11th day of September, 2024, to:
2	
3	Samuel Fox, Administrative Law Judge https://portal.azoah.com/submission
4	Office of Administrative Hearings
5	COPY of the foregoing delivered the same date, to:
6	Deian Ousounov, Chief Financial Deputy Director
7	Alena Caravetta, Regulatory Legal Affairs Officer
8	Ana Starcevic, Unit Project Specialist Steven Fromholtz, Licensing Division Manager
	Linda Lutz, Legal Assistant
9	Aqueelah Currie, Licensing Supervisor Rachel Smith, Investigator
10	Arizona Department of Insurance and Financial Institutions
11	100 North 15th Avenue, Suite 261
12	Phoenix, Arizona 85007
13	COPY mailed the same date by U.S First Class and Certified Mail, Return Receipt Requested, to:
14	Almos J. T. d.
15	Alexander Joyce and Rejoyce Financial LLC
	881 3 rd Ave. SW
16	Carmel, IN46032
17	Respondents 9489 0090 0027 6599 3142 34
18	Alexander Joyce
19	13857 Shallow Brook Close Carmel, IN 46074
20	Respondent 9489 0090 0027 6599 3142 65
ŀ	CORV cont via alastrania mail the name data to
21	COPY sent via electronic mail the same date, to:
22	Alexander Joyce and
23	Rejoyce Financial LLC ajoyce@rejoycefinancial.com
24	Respondents
25	
26	

Docusign Envelope ID: 4AB509F6-3DD8-4C96-9753-23243A447AE5		
	Order; 24A-024-INS Continued	
	Continued	
1	Zachary Howard, Assistant Attorney General	
2	Zachary.Howard@azag.gov AdminLaw@azag.gov	
3	Attorney for the Department	
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5	Mayra Kariem	
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STATE OF ARIZONA

Department of Insurance and Financial Institutions **RECEIVED** August 21, 2024 by AS

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:
Alexander Joyce
(National Producer No. 16775731),
and
Rejoyce Financial LLC
(National Producer No. 17793560),

Respondents.

No. 24A-024-INS

ADMINISTRATIVE LAW JUDGE DECISION

HEARING: August 1, 2024.

APPEARANCES: Respondents Alexander Joyce and Rejoyce Financial LLC (collectively "Respondents") failed to appear. Assistant Attorney General Zachary Howard appeared for the Department of Insurance and Financial Institutions.

ADMINISTRATIVE LAW JUDGE: Samuel Fox

EXHIBITS ADMITTED INTO EVIDENCE: Department Exhibits 1 through 9.

FINDINGS OF FACT

- 1. Alexander Joyce was an Indiana domiciled individual, and he was the holder of National Producer Number 16775731. Mr. Joyce had been licensed in Arizona as a non-resident Insurance Producer for Accident and Health or Sickness and Life since December 29, 2022, qualifying through reciprocity.¹
- 2. On his application for an Arizona license, Mr. Joyce responded "No" to Background Question "1B: Have you ever been convicted of a felony . . . ?"²
- 3. Rejoyce Financial LLC was an Indiana domiciled limited liability company, and it was the holder of National Producer Number 17793560. Rejoyce Financial LLC had been licensed in Arizona as a non-resident Insurance Producer for Accident and Health or Sickness and Life since January 9, 2023, qualifying through reciprocity. Mr.

Office of Administrative Hearings 1740 West Adams Street, Lower Level Phoenix, Arizona 85007 (602) 542-9826

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¹ Dep't Exh. 1.

² Dep't Exh. 9.

⁸ *Id*. ⁹ Dep't Exh. 4.

⁷ Id.

Dep't Exh. 2.
 Dep't Exh. 8.
 Dep't Exh. 8 and 9.
 Dep't Exh. 3.

Joyce was the sole owner and was designated as the President/CEO of Rejoyce Financial LLC.3

- 4. On its application for an Arizona license, Rejoyce Financial LLC responded "No" to Background Question "1B: Has the business entity or any owner, partner, officer, or director of the business entity, or member or manager of a limited liability company ever been convicted of a felony . . . ?"⁴
- 5. For both Arizona license applications, Mr. Joyce, and Mr. Joyce on behalf of Rejoyce Financial LLC, attested that, "under penalty of perjury, all of the information submitted in this application and attachments is true and complete."⁵
- 6. On or around January 26, 2024, an investigator for the Indiana Department of Insurance contacted the Arizona Department of Insurance and Financial Institutions (the Department), informing the Department that the license for Mr. Joyce had expired, and the Indiana Department of Insurance was in the process of doing an emergency suspension for Rejoyce Financial LLC's license. The Indiana Department of Insurance had also recently issued a cease and desist order.⁶
- 7. The Department assigned Rachel Smith, an insurance analyst investigator, to investigate the matter. Investigator Smith requested a copy of the cease and desist order on February 8, 2024.⁷
- 8. On February 9, 2024, the Indiana Department of Insurance provided a copy of that order and the emergency suspension for Rejoyce Financial LLC.⁸
- 9. The emergency suspension, dated February 1, 2024, stated that Mr. Joyce had three felony convictions.⁹

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- 10. On or around June 10, 2024, the Department delivered the Notice of Hearing and Complaint to Respondents at the email addresses and addresses of record.
- 11. In response to the Notice, counsel for Respondents contacted the Department.
- 12. A hearing was held on August 1, 2024. Respondents failed to appear at the hearing, and the Office of Administrative Hearings has not received communications from Respondents or their representative.
- 13. Ms. Smith testified that her investigation also identified three felony convictions for Mr. Joyce:
 - a. On or around March 25, 2021, Mr. Joyce plead guilty to *Operating Vehicle After Being Habitual Traffic Offender*, a level 6 felony.¹⁰
 - b. On or around August 9, 2021, Mr. Joyce admitted to have failed to comply with the conditions of his community corrections contract. That plea states Defendant was found guilty of OWI, Endangering a Person, Prior Conviction within the last 7 years, a level 6 felony.¹¹
 - c. Ms. Smith testified that the background check provided some information about a 2008 felony conviction for fraud charges; however, no documents were available for that conviction. Documents were only available through 2013.

CONCLUSIONS OF LAW

- 1. The Director has jurisdiction over this matter. 12
- Respondents are deemed to have received the Notice of Hearing.¹³
- 3. The matter was properly brought before the Office of Administrative Hearings pursuant to A.R.S. § 41-1092 *et seq.*

¹⁰ Dep't Exh. 6.

¹¹ Dep't Exh. 7.

¹² See A.R.S. § 20-281 et seq.

¹³ See A.R.S. § 41-1092.04; A.R.S. § 41-1061(A).

- 4. Pursuant to A.R.S. § 41-1092.07(G)(2), at "a hearing on an agency action to suspend [or] revoke . . . a license or permit, the agency has the burden of persuasion."
- 5. The burden of persuasion is by a preponderance of the evidence. A.C.C. R2-19-119(A).
- 6. "A preponderance of the evidence is such proof as convinces the trier of fact that the contention is more probably true than not."¹⁴
- 7. Respondents failed to appear; accordingly, only the Department's evidence has been admitted to the record.
- 8. A.R.S. § 20-287(A)(1) requires a nonresident licensee to maintain their licenses in good standing with their resident home state.
- 9. The preponderance of the evidence established that Mr. Joyce failed to maintain a license in good standing in his home state.
- 10. The preponderance of the evidence establishes that Rejoyce Financial LLC failed to maintain a license in good standing in its home state.
- 11. Pursuant to A.R.S. § 20-295(A), "[t]he director may deny, suspend for not more than twelve months, revoke or refuse to renew an insurance producer's license or may impose a civil penalty in accordance with subsection F" for enumerated causes.
- 12. Pursuant to A.R.S. § 20-295(F)(2), "the director may . . . [i]mpose a civil penalty of not more than two thousand five hundred dollars for each intentional failure or violation, up to an aggregate civil penalty of fifteen thousand dollars.
- 13. A.R.S. § 20-295(A)(1) prohibits "[p]roviding incorrect, misleading, incomplete or materially untrue information in the license application."
- 14. The preponderance of the evidence established that Mr. Joyce intentionally provided incorrect and materially untrue information in his license application.
- 15. The preponderance of the evidence establishes that Rejoyce Financial LLC intentionally provided incorrect and materially untrue information in its license application.

¹⁴ MORRIS K. UDALL, ARIZONA LAW OF EVIDENCE § 5 (1960).

- 16. A.R.S. § 20-295(A)(9) prohibits "[h]aving an insurance producer license, or its equivalent, denied, suspended or revoked in any state, province, district or territory."
- 17. The preponderance of the evidence established that Rejoyce Financial LLC had its license suspended in its home state.
- 18. A.R.S. § 20-295(A)(2) prohibits "[v]iolating any provision of this title or any rule, subpoena or order of the director."
- 19. The preponderance of the evidence established that Mr. Joyce violated one or more provisions of this title.
- 20. The preponderance of the evidence establishes that Rejoyce Financial LLC violated one or more provisions of this title.

RECOMMENDED ORDER

- **IT IS RECOMMENDED** that Respondents' non-resident insurance producer licenses, numbered 16775731 and 17793560, be revoked.
- IT IS RECOMMENDED that a civil penalty be imposed upon Respondent Alexander Joyce in the amount of \$500 for intentional violation of A.R.S. § 20-295(A)(1).
- IT IS RECOMMENDED that a civil penalty be imposed upon Respondent Rejoyce Financial LLC in the amount of \$500 for intentional violation of A.R.S. § 20-295(A)(1).

Pursuant to A.R.S. § 41-1092.08(I). the licensee may accept the Administrative Law Judge Decision by advising the Office of Administrative Hearings in writing not more than ten (10) days after receiving the decision. If the licensee accepts the Administrative Law Judge Decision. the decision shall be certified as the final decision by the Office of Administrative Hearings.

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 will be forty (40) days from the date of that certification.

Done this day, August 21, 2024.

/s/ Samuel Fox Administrative Law Judge

Transmitted by either mail, e-mail, or facsimile to: Barbara D. Richardson Department of Insurance and Financial Institutions - Insurance deian.ousounov@difi.az.gov ana.starcevic@difi.az.gov alena.caravetta@difi.az.gov Alexander Joyce ajoyce@rejoycefinancial.com Zachary Howard zachary.howard@azag.gov By: OAH Staff