

OK
PAID
FAC
02/28/89
1105

STATE OF ARIZONA
FILED

2128

FEB 20 1989

'89 MAR 3 AM 36
DEPARTMENT OF INSURANCE
By AmB

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

9632C
FFD88-079:bjb

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:)	
)	No. 6822
RICHARD H. REIMERS,)	
)	CONSENT ORDER
)	
Respondent.)	
)	
)	
)	

A Notice of Hearing of Suspension or Revocation of Surplus Line Broker's License and Fine was issued by the Arizona Department of Insurance (the "Department") on February 6, 1989, wherein the Department made certain allegations alleging that although Respondent's annual statement of the surplus line broker was due on or before March 2, 1987, Respondent did not file the statement until March 25, 1987. Respondent has received a copy of said Notice of Hearing and has been advised of his right to a hearing in the matter and hereby waives same.

In order to settle this matter, Respondent hereby admits that the following Findings of Fact are true, and consents to the entry of the following Conclusions of Law and Order.

FINDING OF FACTS

1. Respondent, at all material times, was licensed as a surplus line insurance broker, in Arizona (License No. 0188056).

3/24

'89 MAR -3 AM 1:36

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

2. On or before March 2, 1987, Respondent was required to file with the Director of the Department a verified statement of all surplus line insurance transacted by him during the 1986 calendar year, pursuant to A.R.S. § 20-415.

3. Respondent failed to timely file a verified statement of all surplus line insurance transacted by him during the calendar year of 1986. Instead, Respondent filed with the Director an annual statement on March 25, 1987. Accordingly, Respondent's annual statement was filed 23 days late after the required filing date.

CONCLUSIONS OF LAW

1. Respondent failed to timely file the required surplus line broker's verified statement due on March 2, 1987, a violation of A.R.S. § 20-415.

2. Respondent's failure to timely file the required surplus line broker's verified statement as required by A.R.S. § 20-415, was done knowingly.

3. Respondent's failure to timely file the required surplus line broker's verified statement constitutes grounds for the revocation or suspension of Respondent's surplus line broker's license, or imposition of a monetary civil penalty, or both, pursuant to A.R.S. §§ 20-418 and 20-316(C).

ORDER

NOW, THEREFORE, IT IS ORDERED:

1. Respondent is hereby assessed a civil penalty pursuant to A.R.S. § 20-316(C) in the amount of \$250.00. Said


2/24

'89 MAR -3 AM 1:37

1 amount is due and payable to the Department upon entry of this
2 Order.

3 2. Respondent's surplus line insurance broker's
4 license, No. 0188056, shall be suspended for a period of one
5 (1) day commencing on March 11, 1989, pursuant to A.R.S.
6 § 20-418.

7 DATED at Phoenix, Arizona, this 28 day
8 of FEBRUARY, 1989.

9
10 
11 SUSAN S. GALLINGER, Director
12 Arizona Department of Insurance

13 CONSENT TO ORDER

14 1. The undersigned hereby acknowledges that he has
15 read the foregoing Findings of Fact, Conclusions of Law and
16 Order and is aware of his right to an administrative hearing in
17 this matter and has waived same.

18 2. The undersigned admits the jurisdiction of the
19 Department and admits the foregoing Findings of Fact and
20 consents to the entry of the foregoing Conclusions of Law and
21 Order.

22 3. The undersigned states that no promise was made
23 to him to induce him to enter into this Consent Order and
24 declares that he has entered into this Consent Order
25 voluntarily.

26 4. The undersigned acknowledges that acceptance of
this Consent Order is for the purpose of settling this


3/28

'89 MAR -3 11:37

1 litigation as against him and does not preclude the Department,
2 or any other agency or officer of this State, or subdivision
3 thereof, from instituting other civil or criminal proceedings
4 as may be appropriate now or in the future.

5 5. The undersigned hereby waives all rights to
6 challenge such Findings of Fact, Conclusions of Law and Order
7 on appeal or otherwise, and agrees to be bound hereby.

8
9 2/27/89
Date


RICHARD H. REIMERS
Respondent

11 APPROVED AS TO FORM:
12 ROBERT K. CORBIN, Attorney General
13 PATRICK M. MURPHY, Chief Counsel
14 Financial Fraud Division

15 By Alisan M.B. Pattern
16 Alisan M.B. Pattern
17 Assistant Attorney General
18 Attorneys for Arizona State
Department of Insurance

Date: 2/27/89

19 PHIL PARIS, ESQ.

20
21 Phil Paris
22 Phil Paris
Attorney for Respondent

Date: 2/27/89

26

2/29

'89 MAR -3 AM 1:37

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

COPY of the foregoing
mailed this 28th day of
February, 1989, to:

Alisan M.B. Patten
Assistant Attorney General
1275 West Washington, Room 259
Phoenix, Arizona 85007

Phil Paris, Esq.
2929 North 44th Street, Suite 120
Phoenix, AZ 85018-7239

Allied General Agency
8655 East Via de Ventura
Suite E200
Scottsdale, AZ 85258

Lori M. Barker
9612C:FFD88-079