

AUG 12 1987

DEPARTMENT OF INSURANCE

By *amb*

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

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In the Matter of:)
)
RICK ALLEN BOUTIN,)
)
 Respondent.)

Docket No. 6498
ORDER

This matter having been duly noticed for hearing on the 11th day of August, 1987, before the Director of Insurance or his duly designated representative; the Department being represented by Sara Morrissey-Begley, Esq., Assistant Attorney General, and the Respondent not appearing either in person or by counsel; testimony having been received and documentary evidence having been admitted, the Director finds as follows:

FINDING OF FACTS

- 1. Notice is proper in this case pursuant to A.R.S. §§41-1009 & 41-1013;
- 2. Jurisdiction is proper for this hearing pursuant to A.R.S. §41-1013;
- 3. At all times relevant hereto, Respondent was a licensed insurance agent with the State of Arizona;
- 4. On April or May of 1986 Respondent collected applications and premium payments for 13 different individuals for automobile insurance for the Farmers Insurance Company of Arizona;
- 5. Respondent submitted these applications to Farmers, but failed to forward the premium payments that he collected;
- 6. On August 15, 1986, Respondent received \$165.40 from Diane Sheehan for automobile insurance from American

1 Professionals Insurance Company;

2 7. Ms. Sheehan unrepeatly requested proof of
3 insurance coverage from the Respondent and was advised by the
4 Company that they had never received her premium payment;

5 8. After extreme coercion, Respondent did refund the
6 \$165.40 to Ms. Sheehan;

7 9. On August 21, 1986, Anna Murrietta paid Respondent
8 \$269.50 for automobile insurance through Kentucky Central
9 Insurance Company;

10 10. Respondent failed to forward Ms. Murrietta's
11 premium and application to Kentucky Central;

12 11. Kentucky Central honored the policy of Ms.
13 Murrietta and paid the premium amount for the policy;

14 12. That each of said violations were knowing and
15 intentional on the part of the Respondent.

16 IT IS, THEREFORE, ORDERED:

17 1. That Respondent's license to transact insurance in
18 the State of Arizona is hereby REVOKED;

19 2. That pursuant to the provisions of A.R.S. §20-316,
20 restitution is ordered in the amount of \$2,523.77 to Farmers
21 Insurance Company;

22 3. That pursuant to the provisions of A.R.S. §20-316,
23 restitution is ordered in the amount of \$269.50 to Kentucky
24 Central Insurance Company;

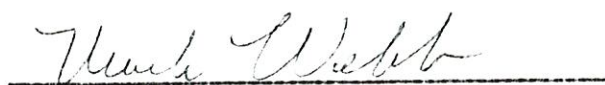
25 4. That pursuant to the provisions of A.R.S. §20-
26 316.C., Respondent is hereby assessed a civil penalty of \$500.00
27 per violation, for an aggregate civil penalty of \$7,500.00;

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1 5. Respondent may request a rehearing with respect to
2 this Order by filing a written petition with the Director within
3 30 days of the date of this Order, setting forth the basis for
4 such relief pursuant to A.R.S. §41-1010(B), and A.C.R.R. R4-14-
5 159.

EFFECTIVE this 12th day of August, 1987.


S. DAVID CHILDERS
Director of Insurance


MARK WEBB
Chief Hearing Officer

- 12 COPY of the foregoing mailed this
13 12th day of August, 1987, to:
- 14 Sara Begley, Esq.
15 Assistant Attorney General
16 1275 W. Washington
17 Phoenix, Arizona 85007
 - 18 S. David Childers, Director
19 Susan Gallinger, Deputy Director
20 Roy Gill, Assistant Director
21 Robert Zielinski, Assistant Director
22 Mary Butterfield, Supervisor
23 Maureen Catalioto, Supervisor
24 Deloris Williamson, Supervisor
25 George T. Finch, Investigator
26 Department of Insurance
27 801 E. Jefferson
28 Phoenix, Arizona 85034
 - Dean Butler
Farmers Insurance Company of Arizona
P.O. Box 29054
Phoenix, Arizona 85038
 - Diane Sheehan
7532 N. 49th Avenue
Glendale, Arizona 85301
 - Anna Murrietta
4803 N. 21st Avenue, B-122
Phoenix, Arizona 85015

1 Rick Alen Boutin
6510 W. Cholla
2 Glendale, Arizona 85034

3 *Lori M. Barker*
4 Lori M. Barker

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