STATE OF ARIZONA FILED

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JAN 21 2016

DEPARTMENT OF INSURANCE	DEP/	ARTMENT	OF INSU	JRANCE
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) No. 15A-166-INS
)
) CONSENT ORDER
)
) Hearing 02/02/16, 1:00 p.m.
) ALJ Dorinda Lang
)

The State of Arizona Department of Insurance ("Department") has received evidence that **Manuel Moises Zambrano** has violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

### FINDINGS OF FACT

- 1. Manuel Moises Zambrano ("Respondent") is and was at all material times licensed as a life and variable life/annuities producer, Arizona license number 1089261, which expires November 30, 2017.
- 2. Respondent's addresses of record with the Department are: 6155 N. Scottsdale Rd., Scottsdale, AZ 85250 (business and mailing).
- 3. On or about September 23, 2014, the Department issued to Respondent an insurance license as a resident life and variable life/annuities producer, Arizona license number 1089261.
- 4. On June 12, 2015, the Department notified Respondent by mail at his address of record that his fingerprint card had been processed and returned by the Arizona Department of Public Safety (DPS) as illegible. The Department requested a replacement set of fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or before July 13, 2015. Respondent did not reply to the Department's request.

- 5. The June 12, 2015 letter to Respondent was returned to the Department with "Return to Sender" written on the envelope.
- 6. On June 24, 2015, the Department notified Respondent a second time by mail at his address of record that his fingerprints had been returned by DPS as illegible and that the Department was about to initiate an administrative action against his license for failure to comply with the fingerprint requirement. The Department requested a response by August 24, 2015.
- 7. On July 31, 2015, the Department notified Respondent a third time by mail at his address of record that his fingerprints had been returned by DPS as illegible and that the Department was about to initiate an administrative action against his license for failure to comply with the fingerprint requirement. The Department requested a response by August 24, 2015.
- 8. To date, Respondent has not submitted a full set of fingerprints to the Department.
  - 9. To date, Respondent has not updated his address with the Department.

# **CONCLUSIONS OF LAW**

- 1. The Director has jurisdiction over this matter.
- 2. Respondent's conduct as described above constitutes the violation of the requirement that an applicant submit a full set of fingerprints to the Department within the meaning of A.R.S. § 20-285(E)(2).
- 3. Respondent's conduct as described above constitutes providing incomplete information in the license application within the meaning of A.R.S. § 20-295(A)(1).
- 4. Respondent's conduct as described above constitutes the violation of any provision of A.R.S. Title 20 or any rule, subpoena or order of the director within the meaning of A.R.S. § 20-295(A)(2).
- 5. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§ 20-295(A) and (F).

### **ORDER**

# IT IS HEREBY ORDERED THAT:

- 1. Respondent may surrender his insurance producer license, Arizona license number **1089261**.
- 2. The hearing, Docket #15A-166-INS, scheduled for February 2, 2016, at 1:00 p.m. is vacated.

DATED AND EFFECTIVE this \_\_\_\_\_\_ day of \_\_\_\_\_

2016 <u>/ س</u>یا

Andy Tobin

Director of Insurance

# **CONSENT TO ORDER**

- Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- Respondent admits to the jurisdiction of the Director of Insurance, State of
   Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing
   Conclusions of Law and Order.
- 3. Respondent is aware of his right to notice and a hearing at which he may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives his right to such notice and hearing and to any court appeals relating to this Consent Order.
- 4. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to him to induce him to enter into this Consent Order and that he has entered into this Consent Order voluntarily.

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- 5. Respondent acknowledges that the acceptance of this Consent Order by the Director is solely to settle this matter against him and does not preclude any other agency, officer, or subdivision of this state including the Department from instituting civil or criminal proceedings as may be appropriate now or in the future not related to this matter.
- 6. Respondent acknowledges that this Consent Order is an administrative action that the Department will report to the National Association of Insurance Commissioners (NAIC). Respondent further acknowledges that he must report this administrative action to any and all states in which he holds an insurance license and must disclose this administrative action on any license application.

Manuel Moises Zambrano, Arizona License # 1089261

COPIES of the foregoing mailed/delivered this 2/ day of January, 2016, to:

Manuel Moises Zambrano 3927 E. Jaspar Dr.

Gilbert, AZ 85296

Respondent

Darren Ellingson, Deputy Director

Mary Kosinski, Executive Assistant for Regulatory Affairs

Steven Fromholtz, Licensing Supervisor

Arizona Department of Insurance

2910 North 44th Street, Suite 210

Phoenix, Arizona 85018

- E-FILE of the foregoing delivered electronically, same date, to:
- Dorinda Lang, Administrative Law Judge Office of Administrative Hearings
- COPY sent same date via electronic mail to:

Liane Kido

Assistant Attorney General

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