

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

MAR 09 2020

In the Matter of:

**FABIOLA ORTIZ**

and

**B&B PROPERTY DAMAGE  
MANAGEMENT**

**Respondents.**

No. 20A-021-INS DEPT OF INSURANCE  
BY AS 03/09/2020

**ORDER TO CEASE AND DESIST**

The State of Arizona Department of Insurance ("Department") has received evidence that Fabiola Ortiz and B&B Property Damage Management (collectively "Respondents") have acted as an adjuster by negotiating settlement of claims and receiving compensation without an active insurance adjuster license, in violation of Arizona Revised Statutes ("A.R.S"). Accordingly, the Interim Director of the Arizona Department of Insurance (the "Director") makes the following Findings of Fact and Conclusions of Law and enters the following Order pursuant to A.R.S. § 20-292.

**FINDINGS OF FACT**

1. On or about November 6, 2019, the Department received a complaint from Farmers Insurance Company of Arizona ("Farmers") alleging that Ortiz, an unlicensed adjuster, negotiated an injury settlement claim for a client.

2. B&B Property Damage Management ("B&B") is a business entity run and operated by Fabiola Ortiz ("Ortiz"). B&B is neither registered as a business entity with the Arizona Corporation Commission nor as a trade name with the Arizona Secretary of State.

3. Respondents' only known business address is: 6502 North 35<sup>th</sup> Avenue, Suite 5, Phoenix, AZ 85017.

1 4. B&B's website<sup>1</sup> advertises "Legal Services in Phoenix" and that B&B is  
2 "dedicated to our clients' best interests and will not hesitate to help you receive the maximum  
3 compensation you deserve and get you reimbursed for the damages to your car, Injuries [sic]  
4 and more." At all relevant times, neither Respondent was certified by the Arizona Legal  
5 Document Preparer Board. B&B's website remains active.

6 5. On October 14, 2019, Ortiz wrote to Farmers, "We are still entitle [sic] to a full  
7 reimbursement of loss of use!! He will NOT ACCEPT only 3 days that's unfair for them . . . We  
8 will agree to settle the loss of use for \$300 (10 days at \$30 per day.)"

9 6. On January 31, 2020, Ortiz appeared at the Department for an Examination  
10 Under Oath ("EUO"). Ortiz confirmed that B&B is her business and acknowledged that she  
11 markets "legal services" although she is neither an attorney nor a certified legal document  
12 preparer. Ortiz denied acting as an adjuster and stated she was simply helping a friend.  
13 However, Ortiz admitted performing similar activities in the past for at least ten (10) individuals.  
14 Ortiz accepted compensation totaling \$300 for services rendered in the Farmers' case.  
15 Respondents are not licensed as an adjuster in this or any other State.

### 16 CONCLUSIONS OF LAW

17 1. The Director has jurisdiction over this matter.

18 2. Respondents' conduct, as alleged above, constitutes adjusting, investigating or  
19 negotiating settlement of claims arising under property and casualty insurance contracts on  
20 behalf of either the insurer or the insured, within the meaning of A.R.S. § 20-321(1)(a).

21 3. Respondents' actions require an adjuster's license, within the meaning of A.R.S.  
22 § 20-321.01.

23  
24 \_\_\_\_\_  
<sup>1</sup> <https://bb-property-damage-management.business.site/>

1 4. Grounds exist, pursuant to A.R.S. § 20-292, for the Director to order Respondents  
2 to cease and desist engaging in the violation or doing any act in furtherance of the violation of  
3 A.R.S. § 20-321(1)(a).

4 **ORDER**

5 IT IS HEREBY ORDERED THAT:

6 1. Respondents shall immediately cease and desist from unlawfully acting as an  
7 adjuster and negotiating settlement of claims in the State of Arizona.

8 2. This Order shall become effective immediately and shall remain in full force and  
9 effect until otherwise stayed, modified, vacated or set aside.

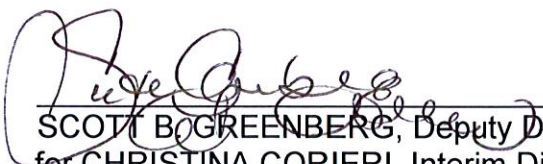
10 **NOTICE OF OPPORTUNITY FOR HEARING**

11 Pursuant to Title 20 of the Arizona Revised Statutes, Respondents are hereby notified  
12 that they may request a hearing pursuant to A.R.S. § 20-161 to contest the order to cease and  
13 desist. Such a request must be in writing and received at the following address within thirty  
14 (30) days from the date hereof:

15 Attention: Deian Ousounov, Regulatory Legal Affairs Officer  
16 Arizona Department of Insurance  
100 N. 15th Ave., Ste. 261  
17 Phoenix, AZ 85007-2630

18 Upon receipt of a timely written request for hearing, the Director will issue an order setting  
19 the time and place of the hearing.

20 DATED AND EFFECTIVE this 9th day of March, 2020.

21   
22 SCOTT BOGREENBERG, Deputy Director  
23 for CHRISTINA CORIERI, Interim Director  
24 Arizona Department of Insurance

1 **COPY** of the foregoing mailed by  
U.S. First Class Mail and Certified Mail,  
2 return receipt requested, and emailed  
this 10<sup>th</sup> day of March, 2020, to:

3 Fabiola Ortiz  
4 6502 N 35th Ave., Ste. 5  
Phoenix, AZ 85017  
5 Respondent

6 B&B Property Damage Management  
6502 N 35th Ave., Ste. 5  
7 Phoenix, AZ 85017  
[Fabylegalservices@gmail.com](mailto:Fabylegalservices@gmail.com)  
8 Respondent

9 **COPY** of the foregoing delivered, same date, to:

10 Deian Ousounov, Regulatory Legal Affairs Officer  
Catherine M. O'Neil, Consumer Legal Affairs Officer  
11 Ana Starcevic, Paralegal Project Specialist  
Steven Fromholtz, Licensing Division Manager  
12 Wendy Greenwood, Investigations Supervisor  
Alexis Ortiz, Administrative Enforcement Investigator  
13 Arizona Department of Insurance  
100 N. 15<sup>th</sup> Ave., Ste. 261  
14 Phoenix, Arizona 85007-2630

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Francine Juarez

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