

**STATE OF ARIZONA**

**DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS**

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In the Matter of:

**EPSTEIN, FRANK A.**

(National Producer No. 789727)

Respondent.

**No. 24A-019-INS**

**CONSENT ORDER**

The Arizona Department of Insurance and Financial Institutions (“Department”) has received evidence that **Frank A. Epstein (“Respondent”)** violated provisions of Arizona Revised Statutes (“A.R.S.”) Title 20. Respondent wishes to resolve this matter without the commencement of formal proceedings. Respondent neither admits or denies the allegations contained in the following Findings of Fact. Respondent consents to the entry of the following Conclusions of Law and Order.

**FINDINGS OF FACT**

1. Respondent was at all material times licensed as an Arizona non-resident insurance producer, National Producer Number 789727, with lines of authority in life and accident and health or sickness insurance. The Department first licensed Respondent on February 28, 2018. Respondent’s license is scheduled to expire on October 31, 2025.

2. Respondent’s addresses of record with the Department are 190 N. Milwaukee Avenue, Apt. 405, Wheeling, IL 60090-3080 (mailing); 445 State Street, Fremont, MI 49413; and frank.epstein@gmail.com (email).

3. On or about September 22, 2023, the Department received a termination for

1 cause letter from Gerber Life Insurance Company stating that Respondent “was terminated  
2 ‘for cause’ effective September 1, 2023” due to “using fraudulent, coercive or dishonest  
3 practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in  
4 the conduct of business in this state or elsewhere.”

5 4. The Department commenced an investigation into this matter. The  
6 Department’s investigation determined the following:

7 a) On or about October 26, 2023, at the Department’s request, Gerber Life  
8 Insurance Company provided a copy of the Investigative Report and  
9 supporting records pertinent to Gerber Life Insurance Company’s  
10 investigation into Respondent’s alleged misconduct.

11 b) A review of the Investigative Report revealed that Respondent, among other  
12 violations, submitted insurance applications to Gerber Life Insurance  
13 Company without consumers’ consent. Among consumers affected by  
14 Respondent’s misconduct was an Arizona consumer for whom Respondent  
15 submitted an insurance application without her knowledge and consent.

16 c) On or about November 27, 2023, the Department notified Respondent of the  
17 investigation and requested a response and supporting documents by  
18 December 8, 2023.

19 d) On or about December 22, 2023, Respondent provided a response stating that  
20 he is not in possession of any relevant documents but would answer more  
21 specifically once he receives information from Gerber Life Insurance  
22 Company.

1 e) On or about January 23, 2024, the State of Connecticut Insurance Department  
2 issued a Stipulation and Consent Order in which Respondent consented to  
3 “the surrender/cancellation of his Connecticut insurance license(s).” The  
4 Stipulation and Consent Order was issued following a termination notice  
5 submitted by Gerber Life Insurance Company.

6 f) On or about February 8, 2024, the North Carolina Department of Insurance  
7 reported through the Regulatory Information Retrieval System a voluntary  
8 surrender of Respondent’s license due to misrepresentation, unfair insurance  
9 practices; demonstrating lack of fitness or trustworthiness, and forgery.

10 **CONCLUSIONS OF LAW**

11 5. The Director has jurisdiction over this matter.

12 6. Respondent’s conduct, as described above, constitutes a violation of Title 20  
13 or any rule, subpoena or order of the Director. A.R.S. § 20-295(A)(2).

14 7. Respondent’s conduct, as described above constitutes having an insurance  
15 producer license, or its equivalent, denied, suspended or revoked in any state, province,  
16 district or territory. A.R.S. § 20-295(A)(9).

17 8. The Director may deny, suspend for not more than twelve months, revoke or  
18 refuse to renew an insurance producer's license. A.R.S. § 20-295(A).

19 **ORDER**

20 **IT IS HEREBY ORDERED THAT:**

21 1. Frank A. Epstein’s Arizona non-resident insurance producer license, National  
22 Producer Number 789727, is revoked, effective immediately.

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2. Frank A. Epstein agrees not to apply for an Arizona insurance producer license for the period of thirty-six (36) months following the effective date of this Order.

Effective this 26<sup>th</sup> day of March, 2024.

Barbara D. Richardson  
Barbara D. Richardson  
Cabinet Executive Officer  
Executive Deputy Director  
Arizona Department of Insurance and Financial Institutions

**CONSENT TO ORDER**

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1. Respondent acknowledges that it has been served with a copy of the foregoing Consent Order in the above-referenced matter, has read it, is aware of its right to an administrative hearing in this matter and has knowingly and voluntarily waived that right.

2. Respondent accepts the personal and subject matter jurisdiction of the Department over it in this matter.

3. Respondent acknowledges that no promise of any kind or nature has been made to induce it to sign the Consent to Order and it has done so knowingly and voluntarily.

4. Respondent acknowledges and agrees that the acceptance of this Consent to Order by the Director is solely to settle this matter and does not preclude the Department from instituting other proceedings as may be appropriate now or in the future. Furthermore, and notwithstanding any language in this Consent Order, this Consent Order does not preclude in any way any other state agency or officer or political subdivision of this state from instituting proceedings, investigating claims, or taking legal action as may be appropriate now or in the future relating to this matter or other matters concerning Respondent, including but not limited to violations of Arizona's Consumer Fraud Act. Respondent acknowledges that, other than with respect to the Department, this Consent Order makes no representations, implied or otherwise, about the views or intended actions of any other state agency or officer or political subdivision of the state relating to this matter or other matters concerning Respondent.



1 **COPY** of the foregoing delivered via email  
this 26th day of March, 2024, to:

2 Lillian Walanka, Esq.  
3 Crick Walanka Law Group, Ltd.  
[lwalanka@crickwalankalaw.com](mailto:lwalanka@crickwalankalaw.com)  
4 cc: [frank.epstein@gmail.com](mailto:frank.epstein@gmail.com)  
Attorney for Respondent

5 **COPY** of the foregoing delivered/mailed same date, to:

6 Deian Ousounov, Chief Financial Deputy Director  
7 Alena Caravetta, Regulatory Legal Affairs Officer  
Ana Starcevic, Paralegal Project Specialist  
8 Cathy O’Neil, Consumer Regulatory Affairs Officer  
Steven Fromholtz, Division Manager, Licensing  
9 Linda Lutz, Legal Assistant, Licensing  
Aqueelah Currie, Licensing Supervisor  
10 Jesus Acosta, Investigator  
Arizona Department of Insurance and Financial Institutions  
11 100 North 15th Avenue, Suite 261  
Phoenix, Arizona 85007-2630

12  
13 *Ana Starcevic*  
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