

STATE OF ARIZONA
DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

No. 20A-031-INS

**NIKKITA NATASHA ELIZABETH
ASHLEY a/k/a NIKKITA NATASHA
WHITFIELD,**
(National Producer No. 19332544)

DEFAULT ORDER

Respondent.

On October 14, 2020, the Arizona Department of Insurance and Financial Institutions (the "Department") issued a Notice of Hearing ("Notice") in the above-captioned matter, a copy of which is attached as **Exhibit A** and incorporated by this reference. The Notice required Nikkita Natasha Elizabeth Ashley a/k/a Nikkita Natasha Whitfield ("Respondent") to provide a written answer to the allegations set forth in the Notice within twenty days of the issuance of the Notice. As of this date, Respondent has failed to file an answer. On November 9, 2020, counsel for the Department filed a Motion for Default, a copy of which is attached as **Exhibit B**. As of this date, Respondent has not responded to the Department's motion. Pursuant to A.A.C.R20-6-106(D), a party that fails to file an answer within the time provided shall be deemed to be in default and one or more of the allegations in the Notice of Hearing may be deemed to be admitted.

FINDINGS OF FACT

1. Notice was proper.
2. Respondent is in default.
3. The allegations in the Notice are deemed admitted.

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CONCLUSIONS OF LAW

1. The conduct alleged in the Notice constitutes grounds for the Director to suspend, revoke or refuse to renew Respondent's license to transact insurance in Arizona, pursuant to A.R.S. §20-295(A).

ORDER

IT IS ORDERED:

- 1. The insurance license held by Respondent Nikkita Natasha Elizabeth Ashley a/k/a Nikkita Natasha Whitfield is revoked effective upon the issuance of this Order.
- 2. The hearing set for **December 3, 2020 at 1:00 p.m.** shall be vacated.

DATED this 24th day of November, 2020.



Evan G. Daniels, Director
Arizona Department of Insurance
and Financial Institutions

COPY of the foregoing electronically filed this 25th day of November, 2020 to:

Thomas Shedden, Administrative Law Judge
<https://portal.azoah.com/submission>
Office of Administrative Hearings

COPY of the foregoing delivered same date to:

Deian Ousounov, Regulatory Legal Affairs Officer
Ana Starcevic, Paralegal Project Specialist
Steven Fromholtz, Division Manager, Licensing
Aqueelah Currie, Licensing Supervisor
Arizona Department of Insurance and Financial Institutions
100 N. 15th Ave., #261
Phoenix, Arizona 85007

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COPY of the foregoing emailed same date to:

Lynette Evans, Assistant Attorney General
AdminLaw@azag.gov
Attorney for the Arizona Department of Insurance and Financial Institutions

COPY mailed and emailed same date to:

Nikkita Natasha Elizabeth Ashley
3117 Maize Road
Columbus, OH 43224
Email: adjusterlicenseteam@safelite.com
Respondent

Ana Starcevic

9087189

1 STATE OF ARIZONA
2 DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

3 In the Matter of:

Docket No. 20A-031-INS

4 NIKKITA NATASHA ELIZABETH
5 ASHLEY a/k/a NIKKITA NATASHA
6 WHITFIELD,
7 (National Producer No. 19332544)

NOTICE OF HEARING

(ALJ Thomas Shedden)

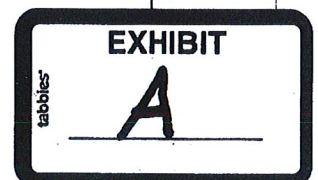
8 Respondent.

9 PLEASE TAKE NOTICE that above-captioned matter will be heard before the
10 Director of the Arizona Department of Insurance and Financial Institutions (the
11 "Director") or a duly designated representative on December 3, 2020 at 1:00 p.m. at
12 the Office of Administrative Hearings, 1740 West Adams St., Lower Level,
13 Phoenix, Arizona 85007¹.

14 If you wish to continue this hearing to another date, you must file a motion in
15 writing with the Office of Administrative Hearings not less than 15 days before the
16 scheduled hearing date. Please send the motion to the attention of the Administrative
17 Law Judge ("ALJ") and include the docket number listed above. You must also mail or
18 hand-deliver a copy of any motion to continue to the Department of Insurance and
19 Financial Institutions (the "Department") on the same date you file it with the Office of
20 Administrative Hearings.

21 You are not required to have an attorney represent you. However, if you are
22 represented, your attorney must be licensed to practice law in the State of Arizona. An

¹ As authorized under Arizona Revised Statutes ("A.R.S.") §§ 20-161 through and including 20-165 and Title 41, Chapter 6, Article 10 (A.R.S. § 41-1092 *et seq.*).



1 insurance company may be represented by a corporate officer. A.R.S. § 20-161(B).

2 You are entitled to be present during the presentation of all evidence and you
3 will have a reasonable opportunity to inspect all documentary evidence, examine
4 witnesses, present evidence that supports your case and to request that the ALJ issue
5 subpoenas to compel the attendance of witnesses and production of evidence. A.R.S.
6 § 20-164(B).

7 A clear and accurate record of the proceedings will be made either by a court
8 reporter or by electronic means. A.R.S. § 41-1092.07(E). If you want a copy of an
9 electronic recording, you must contact the Office of Administrative Hearings at (602)
10 542-9826. If the hearing was transcribed by a court reporter and you want a copy of
11 the transcript, you must pay the cost of the transcript to the court reporter or other
12 transcriber.

13 Questions concerning issues raised in this Notice of Hearing should be directed
14 to Assistant Attorney General Lynette Evans, telephone number (602) 542-7701, 2005
15 N. Central Ave., Phoenix, Arizona 85004, Lynette.Evans@azag.gov.

16 **NOTICE OF APPLICABLE RULES**

17 The hearing will be conducted pursuant to A.A.C. R20-6-101 through R20-6-115.

18 YOU MUST FILE A WRITTEN RESPONSE (ANSWER) TO THE
19 ALLEGATIONS IN THIS NOTICE WITH US WITHIN **20 DAYS** AFTER WE ISSUE
20 THIS NOTICE. A.A.C. R20-6-106. YOUR RESPONSE SHOULD STATE YOUR
21 POSITION OR DEFENSE AND SHOULD SPECIFICALLY ADMIT OR DENY EACH
22 ASSERTION IN THE NOTICE. IF YOU DO NOT SPECIFICALLY DENY AN

1 ASSERTION, WE WILL CONSIDER IT ADMITTED. ANY DEFENSE YOU DO NOT
2 RAISE WILL BE CONSIDERED WAIVED.

3 IF YOU DO NOT FILE YOUR RESPONSE ON TIME, WE WILL CONSIDER
4 YOU IN DEFAULT AND THE DIRECTOR MAY DEEM THE ALLEGATIONS IN THE
5 NOTICE AS TRUE. ACCORDINGLY, WE WILL TAKE WHATEVER ACTION IS
6 APPROPRIATE INCLUDING SUSPENSION, REVOCATION, IMPOSITION OF A
7 CIVIL PENALTY AND ORDERING RESTITUTION TO ANY INJURED PERSON.

8 **PERSONS WITH DISABILITIES**

9 PERSONS WITH DISABILITIES MAY REQUEST REASONABLE
10 ACCOMMODATIONS SUCH AS INTERPRETERS, ALTERNATIVE FORMATS, OR
11 ASSISTANCE WITH PHYSICAL ACCESSIBILITY. REQUESTS FOR
12 ACCOMMODATIONS SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW
13 TIME TO ARRANGE THE ACCOMMODATIONS. IF YOU REQUIRE
14 ACCOMMODATIONS, PLEASE CONTACT THE OFFICE OF ADMINISTRATIVE
15 HEARINGS AT (602) 542-9826.

16 The allegations supporting this Notice of Hearing are as follows:

17 1. Nikkita Natasha Elizabeth Ashley a/k/a Nikkita Natasha Whitfield ("Ashley"
18 or "Respondent") is a licensed Arizona non-resident insurance adjuster, National
19 Producer Number 19332544, since October 30, 2019. Respondent's license is
20 scheduled to expire on February 28, 2023. Respondent's state of domicile is Ohio.

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1 2. Respondent's business and mailing address of record with the
2 Department is 7400 Safelight Way, Columbus, Ohio 43235, and her email address is
3 adjusterlicenseteam@safelight.com.

4 3. On October 28, 2019, Respondent submitted an application for an Arizona
5 non-resident adjuster license ("Application") to the Department.

6 4. In the Application, under Section V – Additional Information ("Section V"),
7 Respondent answered "No" to the following questions:

8 C. Have you EVER been found guilty of, have you had a judgment made
9 against you for, or have you admitted to, any of the following:

10 (1) A felony (of any kind)?

11 (4) Withholding, misappropriating, converting or stealing money or property?

12 (6) Using fraudulent, coercive or dishonest business practices including forgery
13 with intent to defraud?

14 5. Instructions for answering questions in Section V include the following:
15 "You must answer 'Yes' even if a conviction was dismissed, expunged, pardoned,
16 appealed, set aside, vacated or reversed, etc., OR even if you had civil rights restored,
17 had a plea withdrawn, or were given probation, a suspended sentence, a fine or
18 successfully completed a diversion program. You must answer 'Yes' even if your
19 conviction was initially labeled an undesignated offense."

20 6. Respondent answered "Yes" to the Attestation section of the Application.

21 7. On October 30, 2019, the Department issued an Arizona non-resident
22 adjuster license to Respondent.

1 8. The Federal Bureau of Investigations conducted a criminal history check
2 of Respondent and notified the Department that she had the following convictions:

3 a. On September 29, 2004, the Ramsey County District Court, Minnesota
4 Judicial Branch, convicted Respondent, following her guilty plea, of Wrongfully
5 Obtaining Assistance – Theft (256.98 MN) in case number 62-K7-03-001516. This
6 felony conviction was deemed a misdemeanor under the provisions of M.S. 609.13.

7 b. On July 16, 2008, the Ramsey County District Court, Minnesota Judicial
8 Branch, convicted Respondent, following her guilty plea, of Check Forgery – Make or
9 Alter a Check, (609.631.2(1) MN) in case number 62-KX-08-000895. This felony
10 conviction was deemed a misdemeanor under the provisions of M.S. 609.13.

11 **CONCLUSIONS OF LAW**

12 1. The Director has jurisdiction over this matter.

13 2. Respondent's conduct, as described above, constitutes providing
14 incorrect, misleading, incomplete or materially untrue information in the license
15 application, within the meaning of A.R.S. § 20-295(A)(1).

16 3. Grounds exist for the Director to suspend, revoke, or refuse to renew
17 Respondent's Arizona non-resident insurance adjuster's license pursuant to A.R.S.
18 § 20-295(A).

19 WHEREFORE, if after hearing, the Director finds the grounds alleged above, the
20 Director may deny, suspend, or revoke Respondent's Arizona non-resident insurance
21 adjuster's license. A.R.S. § 20-295(A).

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1 The Director delegates the authority vested in him to the Director of the Office of
2 Administrative Hearings or his designee to preside over the hearing of this matter as
3 the Administrative Law Judge, to make written recommendations to the Director
4 consisting of proposed findings of fact, proposed conclusions of law, and a proposed
5 order. This delegation does not include delegation of the authority of the Director to
6 make an order on the hearing or any other final decision in this matter. A.R.S. § 20-
7 150.

8 Pursuant to A.R.S. § 41-1092.01, your hearing will be conducted through the
9 Office of Administrative Hearings, an independent agency. Further hearing information
10 may be found at the Office of Administrative Hearings website: www.azoah.com.

11 DATED this 9th day of October, 2020.

12 *Dejan Ousounov*
Dejan Ousounov (Oct 9, 2020 09:29 PDT)

13 Dejan Ousounov, Regulatory Legal Affairs Officer
14 Arizona Department of Insurance and
15 Financial Institutions

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19 **E-FILE** of the foregoing delivered electronically
20 this 14th day of **October**, 2020, to:

21 Thomas Shedden, Administrative Law Judge
<https://portal.azoah.com/submission>
22 Office of Administrative Hearings

1 **COPY** of the foregoing delivered same date to:

2 Deian Ousounov, Regulatory Legal Affairs Officer
3 Ana Starcevic, Paralegal Project Specialist
4 Steven Fromholtz, Assistant Director for Consumer Protection
5 Aqueelah Currie, Licensing Supervisor
6 Arizona Department of Insurance and Financial Institutions
7 100 N 15th Ave. #261
8 Phoenix, Arizona 85007

9 **COPY** mailed same date by U.S. First Class Mail
10 and Certified Mail, Return Receipt Requested, to:

11 Nikkita Natasha Elizabeth Ashley
12 Safelite Solutions
13 7400 Safelite Way
14 Columbus, Ohio 43235
15 Respondent

9489 0090 0027 6265 2235 63

16 Nikkita Natasha Elizabeth Ashley
17 3117 Maize Road
18 Columbus, OH 43224
19 Respondent

20 **COPY** sent same date via electronic mail to:

21 Nikkita Natasha Elizabeth Ashley
22 Adjusterlicenseteam@safelite.com
Respondent

Lynette Evans, Assistant Attorney General
AdminLaw@azag.gov
Attorney for the Department

Ana Starcevic for
Francine Juarez
8935133

1 MARK BRNOVICH
2 Attorney General
3 Firm Bar No. 14000

4 Lynette Evans
5 State Bar No. 021069
6 Assistant Attorney General
7 Public Law Section
8 2005 N. Central Ave.
9 Phoenix, Arizona 85004
10 Telephone: (602) 542-7701
11 Facsimile: (602) 542-4385
12 E-mail: Lynette.Evans@azag.gov
13 Attorney for the Arizona Department of Insurance and Financial Institutions

14 STATE OF ARIZONA
15 DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

16 In the Matter of:

No. 20A-031-INS

17 **NIKKITA NATASHA ELIZABETH**
18 **ASHLEY a/k/a NIKKITA NATASHA**
19 **WHITFIELD,**
20 **(National Producer # 19332544)**

MOTION FOR DEFAULT

21 Respondent.

22 The Arizona Department of Insurance and Financial Institutions (the "Department"),
23 by and through undersigned counsel, hereby requests that the Findings of Fact and
24 Conclusions of Law set forth in the Notice of Hearing and incorporated herein by reference
25 be entered in this matter, deeming Nikkita Natasha Elizabeth Ashley a/k/a Nikkita Natasha
26 Whitfield, ("Ashley" or "Respondent") in default, deeming the allegations set forth in the
Notice as true, and ordering that Respondent's insurance license be revoked.

On October 14, 2020, a Notice of Hearing ("Notice") was filed in this matter and served upon Ashley at her address of record via certified mail pursuant to A.R.S. § 41-1092.04. Certified mail return receipt No. 9489 0090 0027 6265 2235 63 shows that the



1 Notice was delivered and accepted at Ashley's business and mailing address of record:
2 7400 Safelight Way, Columbus, Ohio 43235. A copy of the certified mail receipt is attached
3 to this request as **Exhibit A**.

4 Respondent had twenty (20) days from the date of issuance of the Notice to file a
5 written answer to the allegations contained therein pursuant to Arizona Administrative Code
6 ("A.A.C") R20-6-106. As of the date of this Motion, Respondent has not filed an answer nor
7 has she appeared through counsel. Rule 20-6-106(D) of the Arizona Administrative Code
8 provides that if an answer is not timely filed, the Respondent shall be deemed in default
9 and the Director may deem the allegations set forth in the Notice of Hearing as true and
10 take whatever action is appropriate including revoking the license.

11 The allegations supporting the Notice of Hearing are as follows:

12
13 1. Nikkita Natasha Elizabeth Ashley a/k/a Nikkita Natasha Whitfield ("Ashley" or
14 "Respondent") is a licensed Arizona non-resident insurance adjuster, National
15 Producer Number 19332544, since October 30, 2019. Respondent's license is
16 scheduled to expire on February 28, 2023. Respondent's state of domicile is Ohio.

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18 2. Respondent's business and mailing address of record with the
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22 3. On October 28, 2019, Respondent submitted an application for an
23 Arizona non-resident adjuster license ("Application") to the Department.

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25 4. In the Application, under Section V – Additional Information ("Section
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2 made against you for, or have you admitted to, any of the following:

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4 (4) Withholding, misappropriating, converting or stealing money
5 or property?

6 (6) Using fraudulent, coercive or dishonest business practices
7 including forgery with intent to defraud?
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9 5. Instructions for answering questions in Section V include the following:
10 "You must answer 'Yes' even if a conviction was dismissed, expunged, pardoned,
11 appealed, set aside, vacated or reversed, etc., OR even if you had civil rights
12 restored, had a plea withdrawn, or were given probation, a suspended sentence, a
13 fine or successfully completed a diversion program. You must answer 'Yes' even if
14 your conviction was initially labeled an undesignated offense."
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16 6. Respondent answered "Yes" to the Attestation section of the
17 Application.

18 7. On October 30, 2019, the Department issued an Arizona non-resident
19 adjuster license to Respondent.
20

21 8. The Federal Bureau of Investigations conducted a criminal history
22 check of Respondent and notified the Department that she had the following
23 convictions:

24 a. On September 29, 2004, the Ramsey County District Court,
25 Minnesota Judicial Branch, convicted Respondent, following her guilty plea, of
26

1 Nikkita Natasha Elizabeth Ashley
2 Safelite Solutions
3 7400 Safelite Way
4 Columbus, Ohio 43235
5 Respondent

4 Nikkita Natasha Elizabeth Ashley
5 3117 Maize Road
6 Columbus, Ohio 43224
7 Respondent

7 Nikkita Natasha Elizabeth Ashley
8 adjusterlicenseteam@safelite.com
9 Respondent

9 /s/ S. Hack

10 9080876

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November 5, 2020

Dear Susan Hack:

The following is in response to your request for proof of delivery on your item with the tracking number:
9489 0090 0027 6265 2235 63.


Item Details

Status: Delivered, Left with Individual
Status Date / Time: October 19, 2020, 8:22 am
Location: COLUMBUS, OH 43235
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic

Shipment Details

Weight: 4lb, 13.4oz

Recipient Signature

Signature of Recipient:	
Address of Recipient:	Covid-19

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

