STATE OF ARIZONA

Department of Insurance and Financial Institutions FILED January 22, 2021 by AS

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STATE OF ARIZONA DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

ORTEGA, RICARDO

(National Producer No. 18453669)

Respondent

No. 21A-011-INS

CONSENT ORDER

The Arizona Department of Insurance and Financial Institutions ("Department") has received evidence that Ricardo Ortega ("Ortega" or "Respondent") violated provisions of Title 20, Arizona Revised Statutes ("A.R.S"). Respondent wishes to resolve this matter without the commencement of formal proceedings, and admit the following Finding of Fact are true, and consent to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

- Ortega is, and was at all material times, licensed as an Arizona resident public 1. adjuster. His license, number 18453669, was last renewed on December 22, 2020, and is scheduled to expire on November 30, 2024.
- 2. Ortega's business and mailing address of record with the Department is 328 North 20th Avenue, Phoenix, Arizona 85009. Ortega's business e-mail address of record with the Department is ricardo@azpda.com.

Unlicensed Activity

3. On or about December 16, 2020, the Department received a complaint from Pekin Insurance Company ("Pekin") regarding Ortega.

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- 4. As part of the complaint, Pekin provided documentation to the Department which consisted of email correspondence between Ortega and Pekin's claim agent. On December 14, 2020, Ortega submitted a letter of representation for claimant to Pekin. On or about December 14, 2020, Ortega sent additional emails to Pekin further detailing Ortega's role as a public adjuster for the claimant.
- 5. During its investigation, the Department determined that Ortega's public adjuster license expired on November 30, 2020. The Department's investigation concluded that on or about December 14, 2020 Ortega held himself as a public adjuster while his licensed has lapsed and he was no longer licensed to perform the duties of public adjuster.
- 6. On December 22, 2020, the Department's investigator sent Ortega a courtesy email advising him of his license expiration. Ortega subsequently renewed his license on this same date.

CONCLUSIONS OF LAW

- The Director of the Department ("Director") has jurisdiction over this matter. 1.
- 2. Respondent's conduct, as described above, constitutes a violation of Title 20 or any rule, subpoena or order of the Director, within the meaning of A.R.S. § 20-295(A)(2).
- 3. Respondent's conduct, as described above, constitutes acting as or claiming to be an adjuster without a license, in violation of A.R.S. § 20-321.01(A).
- 4. Grounds exist for the Director to suspend for not more than twelve months or revoke Respondent's insurance producer license, pursuant to A.R.S. § 20-295(A).
- 5. Grounds exist, in addition to or instead of any suspension or revocation, for the Director to impose a civil penalty of not more than \$250.00 for each unintentional failure or

violation up to an aggregate civil penalty of \$2,500.00, or impose a civil penalty of not more than \$2,500.00 for each intentional failure or violation, up to an aggregate civil penalty of \$15,000.00, within the meaning of A.R.S. § 20-295(F).

ORDER

IT IS HEREBY ORDERED THAT:

Ricardo Ortega shall immediately pay a civil penalty of two hundred fifty dollars (\$250.00).

Effective this 22nd day of January , 2021.



Director

Arizona Department of Insurance and Financial Institutions

CONSENT TO ORDER

- 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- 2. Respondent admits to the jurisdiction of the Director of the Arizona Department of Insurance and Financial Institutions 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 to a hearing, at which he may be represented by counsel, present evidence and examine witnesses.
- 4. Respondent irrevocably waives his right to such notice and hearing and to any court appeals relating to this Consent Order.

- 5. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to induce him to enter into this Consent Order and that he has entered into this Consent Order voluntarily.
- 6. Respondent acknowledges and agrees that the acceptance of this Consent to Assessment 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 Notice of Assessment, this Notice of Assessment 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 Notice of Assessment 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.
- 7. 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 acknowledge 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.

1	8. Respondent waives all rights to seek an administrative or judicial review or
2	otherwise to challenge or contest the validity of this Notice of Assessment and its
3	accompanying parts before any court of competent jurisdiction.
4	1/10 3131
5	Date Ricardo Ortega
6	(NPN License No. 18453669)
7	COPY of the foregoing delivered by E-mail this25th_ day of
8	Ricardo Ortega
9	328 N 20 th Ave
10	Phoenix, AZ 85009 ricardo@azpda.com
11	ricardoortega72@yahoo.com Respondent
12	COPY of the foregoing delivered/emailed same date, to:
13	Deian Ousounov, Regulatory Legal Affairs Officer
14	Ana Starcevic, Paralegal Project Specialist Catherine M. O'Neil, Consumer Legal Affairs Office Stavon Framboltz, Division Manual Line Project Specialist
15	Steven Fromholtz, Division Manager, Licensing Division Aqueelah Currie, Licensing Supervisor
16	Jeff Eavenson, Investigator Linda Lutz, Legal Assistant, Licensing Division
17	Arizona Department of Insurance 100 North 15th Avenue, Suite 261
18	Phoenix, Arizona 85007-2630
19	Francine Juarez
20	Francine Juarez
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Arizona Department of Insurance and Financial Institutions RECEIPT OF PAYMENT

Our mission is to help Arizonans receive the benefits and protections to which they are legally entitled by enforcing insuance and financialinstution laws and by providing information and assistance; and, to combat vehicle theft.

Date:	01/14/2021	
Receipt #:	0081481	
ADDITIONAL INFORMATIO	N·	

ADDITIONAL INFORMATION: License Number: 18453669

Payor/Licensee Name:

RICARDO ORTEGA/PROPERTY DAMAGE ADJUSTERS LLC

Description of Fee PNLTY-CONSENT ORDER REVENUES		Amount \$250.00
Paymer	nt Information	
Amount Paid by Check 111:		\$250.00
Credit Tendered:	a #	\$0.00
Cash Tendered:		\$0.00
Change Returned:		\$0.00
1910-ben in der den der	Payment Total:	\$250.00

The Arizona Department of Insurance and Financial Institutions continually works to improve service to its customers.

Please e-mail or mail any ideas on how we can improve to:

Mary Jordan 100 N. 15th Ave. # 102 Phoenix, Arizona 85007-2624 e-mail: Mary.Jordan@difi.az.gov.