

STATE OF ARIZONA
Department of Insurance and Financial Institutions
FILED October 19, 2023 by AS

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

KHONSAVAN VONGDARA

(National Producer License No. 19591111)

Respondent

No. 23A-008-INS

ORDER

On October 4, 2023, the Office of Administrative Hearings, through Administrative Law Judge Sondra J. Vanella, issued an Administrative Law Judge Decision (“Recommended Decision”). The Arizona Department of Insurance and Financial Institutions’ (“Department”) Executive Deputy Director (“EDD”) received the Recommended Decision on the same date, a copy of which is attached and incorporated by reference. Respondent failed to accept the Recommended Decision within ten days of receipt. Therefore, the EDD has reviewed the Recommended Decision and enters the following:

1. The Department ADOPTS the Findings of Fact,
2. The Department ADOPTS the Conclusions of Law,
3. The Department ADOPTS the Recommended Order, and
4. The Department ORDERS that Khonsavan Vongdara’s Arizona insurance producer license, number 19591111, is revoked effective immediately.

NOTIFICATION OF RIGHTS

Pursuant to Arizona Revised Statutes (“A.R.S.”) § 41-1092.09, Respondent may request a rehearing or review with respect to this Order by filing a written motion with the Department within 30 days after the date of this Order, setting forth the basis for relief under Arizona Administrative Code R20-6-114(B). Pursuant to A.R.S. § 41-1092.09, it is not necessary to request a rehearing before filing an appeal to the Superior Court.

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Respondent may appeal the final decision of the Department to the Superior Court of Maricopa County for judicial review, pursuant to A.R.S. § 20-166. A party filing an appeal must notify the Office of Administrative Hearings of the appeal within ten days after filing the complaint commencing the appeal, pursuant A.R.S. § 12-904(B).

DATED and EFFECTIVE this 19th day of October, 2023.

Barbara D. Richardson

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

1 **ORIGINAL** of the foregoing filed electronically
this 19th day of October, 2023, to:

2 Sondra J. Vanella, Administrative Law Judge
3 <https://portal.azoah.com/submission>
4 Office of Administrative Hearings

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

6 Deian Ousounov, Assistant Director
7 Gio Espinosa, Regulatory Legal Affairs Officer
8 Ana Starcevic, Paralegal Project Specialist
9 Steven Fromholtz, Licensing Division Manager
10 Linda Lutz, Legal Assistant
11 Wendy Greenwood, Investigations Supervisor
12 Arizona Department of Insurance and Financial Institutions
13 100 North 15th Avenue, Suite 261
14 Phoenix, Arizona 85007

15 **COPY** mailed the same date by
16 Certified Mail, Return Receipt Requested, to:

17 (Receipt No. 9489 0090 0027 6486 6594 00)

18 Khonsavan Vongdara
19 339 Summer Spring Ct.
20 Jacksonville, FL 32225

21 **COPY** sent via electronic mail the same date, to:

22 Khonsavan Vongdara
23 khonsavanvongdara@gmail.com
24 Respondent

25 James Rolstead, Assistant Attorney General
26 James.Rolstead@azag.gov
AdminLaw@azag.gov
Attorney for the Department

Ana Starcevic

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

Khonsavan Vongdara
(National Producer License No. 19591111),

Respondent.

No. 23A-008-INS

**ADMINISTRATIVE LAW JUDGE
DECISION**

HEARING: September 20, 2023

APPEARANCES: Assistant Attorney General James Rolstead represented the Arizona Department of Insurance and Financial Institutions. Respondent Khonsavan Vongdara failed to appear. Wendy Greenwood appeared as a witness.

ADMINISTRATIVE LAW JUDGE: Sondra J. Vanella

FINDINGS OF FACT

1. Khonsavan Vongdara (“Respondent”) was at all material times licensed in the State of Arizona as a non-resident insurance producer, National Producer License Number 19591111, with lines of authority in accident and health or sickness insurance, and in life insurance.¹ The Arizona Department of Insurance and Financial Institutions (“Department”) issued Respondent’s license on April 16, 2022.² The license is scheduled to expire on December 31, 2025.³ Respondent’s home state is Florida.⁴

2. On December 1, 2022, Transamerica Life Insurance Company (“Transamerica”) notified the Department that it had terminated its appointment of Respondent for cause for the following reasons: i) suspected application fraud; ii) failing to obtain proper signature from applicants or policyholders; iii) altering or falsifying company documents; and iv) violation of company policies and procedures.⁵

¹ See Department’s Exhibit 1.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ See Department’s Exhibit 2.

1 3. On December 20, 2022, in response to a request from the Department for
2 supporting documentation concerning Respondent's termination, Transamerica sent a
3 copy of a consumer life insurance application submitted by Respondent.⁶

4 4. Wendy Greenwood, the Department's Investigations Supervisor, testified
5 that the victim in this matter is Christina Toth.⁷

6 5. Ms. Greenwood testified that page 17 of the application dated April 22,
7 2022, reflects "Signature of Proposed Insured" as Christina Toth, and "Producer I
8 signature" as Respondent.⁸ The application also lists Ms. Toth's city and state as
9 "jacksonville, AZ."⁹

10 6. On December 20, 2022, Department Investigator Michael Vukson called
11 Ms. Toth, who is a Phoenix resident, to verify if she submitted the application with
12 Transamerica. Ms. Toth indicated that she was not familiar with Respondent and did not
13 sign an application for insurance on April 22, 2022, with Transamerica.

14 7. Ms. Greenwood testified that on page one of the application, the last four
15 digits of Ms. Toth's social security number are identical to the last four digits of the listed
16 beneficiary, her brother, Nicholas Toth, on page four of the application.¹⁰

17 8. On December 27, 2022, the Department sent an email to Respondent
18 notifying him of Transamerica's complaint and requesting a response by January 17,
19 2023.¹¹ Respondent did not respond to the email.

20 9. On January 9, 2023, the Department sent a certified letter to Respondent
21 requesting a response to Transamerica's complaint.¹² The United States Post Office
22 Tracking Service shows that the certified letter was delivered to Respondent's address of
23 record, 339 Summer Springs Ct., Jacksonville, FL 32225-4187, and signed for by an
24 individual with Respondent's last name, on January 13, 2023, at 1:42 p.m.¹³

25
26 ⁶ See Department's Exhibit 4.

27 ⁷ See Department's Exhibit 3. The document indicates that the victim's name is Christine Toth, however,
all other information indicates that the victim's name is actually Christina Toth.

28 ⁸ See Department's Exhibit 4.

29 ⁹ *Id.*

¹⁰ *Id.*

¹¹ See Department's Exhibit 7.

¹² See Department's Exhibit 8.

¹³ See Department's Exhibit 9.

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4. Respondent's conduct, as described above, constituted using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this State or elsewhere, within the meaning of A.R.S. § 20-295(A)(8).

5. Respondent's conduct, as described above, constituted forging another's name to any document related to an insurance transaction, within the meaning of A.R.S. § 20-295(A)(10).

6. Grounds exist for the Director of the Department to suspend, revoke, or refuse to renew the License pursuant to A.R.S. § 20-295(A).

7. Further, Respondent's failure to respond to the Department's requests and failure to appear at the hearing demonstrate that Respondent is not able to be regulated at this time.

ORDER

Based upon the above, Respondent's National Producer License Number 19591111 shall be revoked on the effective date of the Order entered in this matter.

Pursuant to A.R.S. § 41-1092.08(l), the licensee may accept the Administrative Law Judge Decision by advising the Office of Administrative Hearings in writing not more than ten (10) days after receiving the decision. If the licensee accepts the Administrative Law Judge Decision, the decision shall be certified as the final decision by the Office of Administrative Hearings.

In the event of certification of the Administrative Law Judge Decision by the Director of the Office of Administrative Hearings, the effective date of the Order will be forty (40) days from the date of that certification.

Done this day, October 4, 2023.

/s/ Sondra J. Vanella
Administrative Law Judge

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Transmitted by e-mail to:

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By: OAH Staff