

APR 15 2010

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY 

In the Matter of:)
)
GEBHARDT, STEPHEN VINCENT,)
(Arizona License # 208375))
(National Producer # 8584714),)
GEBHARDT INSURANCE GROUP, LLC.,)
(Arizona License #928220),)
)
Respondents.)

No. 10A-059-INS

CONSENT ORDER

The State of Arizona Department of Insurance ("Department") has received evidence that **Stephen Vincent Gebhardt and Gebhardt Insurance Group, LLC. ("Respondents")** violated provisions of Title 20, Arizona Revised Statutes. Respondents wish to resolve this matter without the commencement of formal proceedings, and admit the following Findings of Fact are true and consent to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Stephen Vincent Gebhardt ("Gebhardt" or "Respondent Gebhardt") is, and was at all times material, licensed as a resident accident/health, life and property and casualty insurance producer, Arizona license # 208375, which expires on April 30, 2013.

2. Gebhardt Insurance Group, LLC. ("GIG" or "Respondent GIG") is, and was at all times material, licensed as a resident accident/health, life and property and casualty insurance producer, Arizona license # 928220, which expires on September 30, 2012. Gebhardt is the owner/operator of and Designated Responsible Licensed Producer for GIG.

3. On or about June 18, 2009, Respondents submitted an insurance policy application to Hagerty Insurance Agency ("Hagerty") to obtain collector vehicle insurance on

1 behalf of Hector Carillo ("Carillo"). Respondents issued an Arizona Insurance Card with a
2 fictitious policy number to Carillo. Respondents do not have binding authority and issued the
3 Arizona Insurance Card without permission from Hagerty. Hagerty denied issuance of the
4 policy due to lack of an appropriate alternate vehicle for regular use.

5 4. On or about January 19, 2010, Respondents submitted another insurance policy
6 application to Hagerty to obtain collector vehicle insurance on behalf of Carillo along with a
7 fraudulent policy declarations page naming Twin City Fire Insurance Company providing
8 coverage to Carillo for a 2001 Ford F150 Super Pick Up. Respondents' used their own
9 address in the place of Carillo's residence address. Hagerty issued the policy based on the
10 new found evidence that Carrillo now has an appropriate alternate vehicle for regular use. At
11 all times material, Carillo did not own the 2001 Ford F150 Super Pick Up.

12 **CONCLUSIONS OF LAW**

13 1. The Director has jurisdiction over this matter.

14 2. Respondents' conduct constitutes using fraudulent, coercive or dishonest
15 practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the
16 conduct of business in this state or elsewhere, within the meaning of A.R.S. § 20-295(A)(8).

17 3. Respondents' conduct constitutes intentionally misrepresenting the terms of an
18 actual or proposed insurance contract or application for insurance, within the meaning of
19 A.R.S. § 20-295(A)(5).

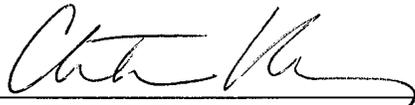
20 4. Grounds exist for the Director to suspend, revoke, or refuse to renew
21 Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to
22 A.R.S. §§20-295(A) and (F).
23

1 **ORDER**

2 IT IS HEREBY ORDERED THAT:

3 Respondents shall immediately pay a civil penalty of \$2,500.00 for deposit into the
4 State General Fund.

5 DATED AND EFFECTIVE this 14th day of April, 2010.

6
7 
8 _____
9 CHISTINA URIAS
10 Director of Insurance

11 **CONSENT TO ORDER**

12 1. Respondents have reviewed the foregoing Findings of Fact, Conclusions of Law
13 and Order.

14 2. Respondents admit the jurisdiction of the Director of Insurance, State of Arizona,
15 and admit the foregoing Findings of Fact and consent to the entry of the foregoing
16 Conclusions of Law and Order.

17 3. Respondents are aware of their right to notice and a hearing at which they may
18 be represented by counsel, present evidence and examine witnesses. Respondents
19 irrevocably waive their right to such notice and hearing and to any court appeals relating to this
20 Consent Order.

21 4. Respondents state that no promise of any kind or nature whatsoever, except as
22 expressly contained in this Consent Order, was made to them to induce them to enter into this
23 Consent Order and that they have entered into this Consent Order voluntarily.

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2 Compliance manage & Associate Counsel
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