

NOV 4 2010

DEPT OF INSURANCE
BY CB

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

1 In the Matter of:)
2)
3)
4 **KAYSER, MARIE ELIZABETH,**)
5 **(License number #936511)**)
6 **(NPN #12862454)**)
7)
8)
9 Respondent)
10)
11)
12)

No. 10A-090-INS

CONSENT ORDER

Hearing 11/17/10, 8:00 a.m.
ALJ Lewis Kowal

13 The State of Arizona Department of Insurance ("Department") has received evidence
14 that **Marie Elizabeth Kayser** has violated provisions of Title 20, Arizona Revised Statutes
15 ("A.R.S."). Respondent wishes to resolve this matter without the commencement of formal
16 proceedings, and admits the following Findings of Fact are true and consents to entry of the
17 following Conclusions of Law and Order.

18 **FINDINGS OF FACT**

19 1. Marie Elizabeth Kayser ("Respondent") is, and was at all material times licensed
20 as a resident life producer, Arizona license number 936511 which expires March 31, 2012.

21 2. Respondent's mailing, business and residence addresses of record with the
22 Department are: 3001 W. Indian School Rd., Phoenix, Arizona 85012 (business); 1602 W.
23 Lynx Way, Chandler, Arizona 85248 (mailing and residence).

3. On or about January 22, 2009, the Department issued to Respondent an
insurance license as a resident life producer, Arizona license number 936511.

4. On March 24, 2009, the Department notified Respondent by mail at her
mailing/residence address of record that her fingerprint card had been processed and returned
by the Arizona Department of Public Safety (DPS) as illegible. The Department requested a
replacement set of fingerprints along with a completed "Illegible Fingerprint Replacement
Form" on or before April 23, 2009.

5. On November 24, 2009, the Department notified Respondent a second time by
mail at her mailing/residence address of record that it was about to initiate an administrative

1 action against her license for failure to comply with the fingerprint requirement. The
2 Department requested a response by December 31, 2009.

3 6. To date, Respondent has not submitted a full set of fingerprints to the
4 Department.

5 CONCLUSIONS OF LAW

6 1. The Director has jurisdiction over this matter.

7 2. Respondent's conduct as described above constitutes the violation of the
8 requirement that an applicant submit a full set of fingerprints to the Department within the
9 meaning of A.R.S. § 20-285(F)(2).

10 3. Respondent's conduct as described above constitutes providing incomplete
11 information in the license application within the meaning of A.R.S. § 20-295(A)(1).

12 4. Respondent's conduct as described above constitutes the violation of any
13 provision of A.R.S. Title 20 or any rule, subpoena or order of the director within the meaning of
14 A.R.S. §20-295(A)(2).

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

18 ORDER

19 IT IS HEREBY ORDERED THAT:

20 1. Respondent may surrender her insurance producer license, Arizona license
21 number 936511.

22 2. The hearing, Docket #10A-090-INS, scheduled for November 17, 2010, at 8:00
23 a.m. is vacated.

DATED AND EFFECTIVE this 3rd day of November, 2010.


CHRISTINA URIAS
Director of Insurance

1 **CONSENT TO ORDER**

2 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
3 and Order.

4 2. Respondent admits to the jurisdiction of the Director of Insurance, State of
5 Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing
6 Conclusions of Law and Order.

7 3. Respondent is aware of her right to notice and a hearing at which she may be
8 represented by counsel, present evidence and examine witnesses. Respondent irrevocably
9 waives her right to such notice and hearing and to any court appeals relating to this Consent
10 Order.

11 4. Respondent states that no promise of any kind or nature whatsoever, except as
12 expressly contained in this Consent Order, was made to her to induce her to enter into this
13 Consent Order and that she has entered into this Consent Order voluntarily.

14 5. Respondent acknowledges that the acceptance of this Consent Order by the
15 Director is solely to settle this matter against her and does not preclude any other agency,
16 officer, or subdivision of this state including the Department from instituting civil or criminal
17 proceedings as may be appropriate now or in the future not related to this matter.


18 6. Respondent acknowledges that this Consent Order is an administrative action
19 that the Department will report to the National Association of Insurance Commissioners
20 (NAIC). Respondent further acknowledges that she must report this administrative action to

21 ...
22 ...
23 ...

1 any and all states in which she holds an insurance license and must disclose this
2 administrative action on any license application.

3 10-29-2010

4 Date


5 Marie Elizabeth Kayser, Arizona License # 936511

6 COPIES of the foregoing mailed/delivered
7 this 4th day of November, 2010, to:

8 Marie Elizabeth Kayser
9 1602 W. Lynx Way
10 Chandler, Arizona 85248
11 Respondent

12 Mary E. Kosinski, Exec. Assistant for Regulatory Affairs
13 Catherine M. O'Neil, Consumer Legal Affairs Officer
14 Steven Fromholtz, Licensing Supervisor
15 Department of Insurance
16 2910 North 44th Street, Suite 210
17 Phoenix, Arizona 85018

18 Lewis Kowal, Administrative Law Judge
19 Office of Administrative Hearings
20 1400 West Washington, Suite 101
21 Phoenix, AZ 85007

22 
23 Curvey Walters Burton