

FEB 7 2013

DEPT OF INSURANCE
BY 

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of:

MONTOYA, MIGUEL ANGEL,
(Arizona License # 29556)
(National Producer # 2898697)

Respondent.

No. 13A-023-INS

CONSENT ORDER

The State of Arizona Department of Insurance ("Department") has received evidence that **Miguel Angel Montoya ("Respondent")** violated provisions of Title 20, Arizona Revised Statutes. Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Miguel Angel Montoya ("Montoya") is, and was at all material times, licensed as an Arizona resident accident/health, life, casualty, and property insurance producer, Arizona license number 29556, which expires June 30, 2014.

2. Montoya's addresses of record are: c/o Allstate Ins. Co., 1994 E. Irvington Rd., Tucson, Arizona 85714 (business and mailing); and 9963 E. Wolford Pl., Tucson, Arizona 85749 (residence).

3. On or about, June 14, 2011, Montoya presented himself to the Department and renewed his Arizona resident producer license number 29556. Montoya indicated on his

1 renewal application that he was still employed with Allstate Insurance Company ("Allstate") to
2 transact insurance on their behalf in Arizona.

3 4. On or about September 3, 2009, Allstate terminated Montoya's contract to
4 transact insurance on their behalf in Arizona.

5 5. On or about September 24, 2012, Montoya pled guilty to a class 6 Felony for
6 theft of property or services in the Superior Court of the State of Arizona, County of Pima,
7 Case No. CR20122094-001.

8 6. Montoya did not report the criminal action to the Department within thirty days
9 after the initial pretrial hearing date.

10 **CONCLUSIONS OF LAW**

11 1. The Director has jurisdiction over this matter.

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

15 3. Montoya's conduct, as described above, constitutes having been convicted of a
16 felony, within the meaning of A.R.S. § 20-295(A)(6).

17 3. Montoya's conduct, as described above, constitutes failing to report to the
18 Director, within thirty days after the initial pretrial hearing date, any criminal prosecution of
19 the producer taken in any jurisdiction, within the meaning of A.R.S. § 20-301(B).

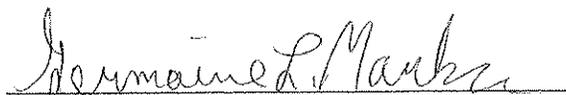
20 4. Grounds exist for the Director to deny, suspend for not more than twelve months,
21 revoke, or refuse to renew an insurance producer's license, impose a civil penalty and/or order
22 restitution pursuant to A.R.S. §§20-295(A) and (F).
23

1 **ORDER**

2 IT IS HEREBY ORDERED THAT:

3 Respondents' resident license (Arizona license # 29556) is revoked effective
4 immediately upon entry of this Order.

5 DATED AND EFFECTIVE this 6th day of February, 2013.

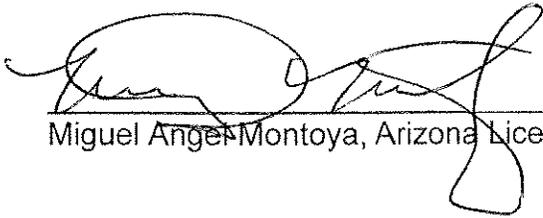
6 
7 GERMAINE L. MARKS
8 Director of Insurance

9 **CONSENT TO ORDER**

- 10 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
11 and Order.
- 12 2. Respondent admits the jurisdiction of the Director of Insurance, State of Arizona,
13 and admits the foregoing Findings of Fact and consent to the entry of the foregoing
14 Conclusions of Law and Order.
- 15 3. Respondent is aware of his right to notice and hearing at which they may be
16 represented by counsel, present evidence and examine witnesses. Respondents irrevocably
17 waive their right to such notice and hearing and to any court appeals relating to this Consent
18 Order.
- 19 4. Respondent state that no promise of any kind or nature whatsoever, except as
20 expressly contained in this Consent Order, was made to them to induce them to enter into this
21 Consent Order and that they have entered into this Consent Order voluntarily.
- 22 5. Respondent acknowledge that the acceptance of this Consent Order by the
23 Director is solely to settle this matter against them and does not preclude any other agency,

1 including the Department, officer, or subdivision of this state or this agency from instituting civil
2 or criminal proceedings as may be appropriate now or in the future.

3 6. Respondent acknowledge that this Consent Order is an administrative action that
4 the Department will report to the National Association of Insurance Commissioners (NAIC).
5 Respondents further acknowledge that they must report this administrative action to
6 any and all states in which they hold an insurance license and must disclose this
7 administrative action on any license application.

8
9 2-6-2013 
Date Miguel Angel Montoya, Arizona License # 29556

10
11 COPIES of the foregoing mailed/delivered
this 7th day of February, 2013, to:

12
13 Miguel Angel Soto
9963 E. Woolford Place
14 Tucson, AZ 85749
Respondent

15 Daniel Brown
C/O Pima County Adult Probation & Parole Department
16 8180 East Broadway
Tucson, AZ 85710

17
18 Mary E. Kosinski, Executive Assistant for Regulatory Affairs
Mary Butterfield, Assistant Director, Consumer Affairs Division
Catherine M. O'Neil, Consumer Legal Affairs Officer
19 Steven Fromholtz, Licensing Supervisor
Charles Gregory, Supervisor Investigations Division
20 Randy Markham, Investigator
Department of Insurance
21 2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

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23 Curvey Burton