

JAN 29 2016

DEPT OF INSURANCE
BY MS

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of:

MALOY, APRIL JEAN
(Arizona License #1104009)
(National Producer #17509597)

Respondent

No. 15A-148-INS

CONSENT ORDER

Hearing 01/26/2016, 1:00 p.m.
ALJ Diane Mihalsky

The State of Arizona Department of Insurance ("Department") has received evidence that **April Jean Maloy** has violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). 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. April Jean Maloy ("Respondent") is, and was at all material times licensed as a resident life producer, Arizona license number 1104009, which expires November 30, 2018.
2. Respondent's addresses of record with the Department are: c/o Primerica, 18444 N. 25th Ave., Suite 420, Phoenix, AZ 85023 (business and mailing).
3. On or about February 19, 2015, the Department issued to Respondent an insurance license as a resident life producer, Arizona license number 1104009.
4. On June 12, 2015, the Department notified Respondent by mail at her 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 July 13, 2015. Respondent did not reply to the Department's request.
5. On July 31, 2015, the Department notified Respondent a second time by mail at her address of record that her fingerprints had been returned by DPS as illegible and that the

1 Department was about to initiate an administrative action against her license for failure to
2 comply with the fingerprint requirement. The Department requested a response by August 24,
3 2015.

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

6 CONCLUSIONS OF LAW

7 1. The Director has jurisdiction over this matter.

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

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

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

17 ORDER

18 IT IS HEREBY ORDERED THAT:

19 1. Respondent may surrender her insurance producer license, Arizona license
20 number **1104009**.

21 2. The hearing, Docket #15A-148-INS, scheduled for January 26, 2016 at 1:00 p.m.
22 is vacated.

23 DATED AND EFFECTIVE this 28th day of January, 2016.


ANDY TOBIN
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 any and all states in which she holds an insurance license and must disclose this
22 administrative action on any license application.

23 1/24/16
Date

April Jean Maloy
April Jean Maloy, Arizona License # 1104009

1 COPIES of the foregoing mailed/delivered
this 29 day of January, 2016, to:

2 April Jean Maloy
3 4844 N. 80th Ave.
4 Phoenix, AZ 85033
Respondent

5 Darren Ellingson, Deputy Director
6 Mary Kosinski, Executive Assistant for Regulatory Affairs
7 Steven Fromholtz, Licensing Supervisor
8 Arizona Department of Insurance
9 2910 North 44th Street, Suite 210
10 Phoenix, Arizona 85018

11 COPIES of the foregoing delivered electronically,
12 same date, to:

13 Diane Mihalsky, Administrative Law Judge
14 Office of Administrative Hearings

15 Liane C. Kido
16 Assistant Attorney General
17 Attorney for the Department

18 
19 Madeine Scheiner
20 4845707