

JAN 31 2017

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY MS

In the Matter of:

BLATZHEIM, JESSICA MARIE
(Arizona License No. 1122829)
(National Producer No. 17710484)

No. 16A-051-INS

ORDER

Respondent.

On January 26, 2017, the Office of Administrative Hearings, through Administrative Law Judge Thomas Shedden, issued an Administrative Law Judge Decision ("Recommended Decision"), received by the Director of the Department of Insurance ("Director") on January 27, 2017, a copy of which is attached and incorporated by this reference. The Interim Director of the Department of Insurance has reviewed the Recommended Decision and enters the following Order:

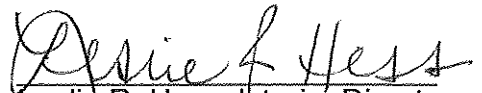
1. The Interim Director adopts the Recommended Findings of Fact and Conclusions of Law.
2. The Interim Director revokes the Arizona resident insurance producer license, No. 1122829, of **Jessica Marie Blatzheim** effective immediately.

NOTIFICATION OF RIGHTS

Pursuant to Arizona Revised Statutes ("A.R.S.") § 41-1092.09, Respondent may request a rehearing with respect to this order by filing a written motion with the Interim Director of the Department of Insurance within 30 days of the date of this Order, setting forth the basis for relief under A.A.C. 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 Superior Court.

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

5 DATED this 30th day of January, 2017.

6
7 
8 Leslie R. Hess, Interim Director
Arizona Department of Insurance

9
10 COPY of the foregoing mailed this
31st day of January, 2017, to:

11 Jessica Marie Blatzheim
12 4301 N. R-C#150 Scottsdale Rd.
13 Scottsdale, AZ 85251
Respondent

14 Jessica Marie Blatzheim
15 7013 E. Vernon Ave.
16 Scottsdale, AZ 85257
Respondent

17 Mary Kosinski, Regulatory Legal Affairs Officer
18 Catherine O'Neil, Consumer Legal Affairs Officer
19 Steven Fromholtz, Assistant Director – Consumer Protection Division
Aqueelah Currie, Licensing
Arizona Department of Insurance
2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

20 Liane Kido
21 Assistant Attorney General
1275 West Washington Street
Phoenix, Arizona 85007-2926

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23 Office of Administrative Hearings
1400 West Washington, Suite 101
24 Phoenix, Arizona 85007

25 
26 Maidene Scheiner

JAN 27 2017

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

DEPT. OF INSURANCE
BY: MEK

In the Matter of:

No. 16A-051-INS

BLATZHEIM, JESSICA MARIE
(Arizona License #1122829)
(National Producer # 17710484),

ADMINISTRATIVE LAW JUDGE
DECISION

Respondent.

HEARING: January 17, 2017

APPEARANCES: No one appeared for Respondent; Liane Kido, Esq. appeared
for the Department of Insurance

ADMINISTRATIVE LAW JUDGE: Thomas Shedden

FINDINGS OF FACT

1. On August 4, 2016, the Arizona Department of Insurance ("Department") issued a Notice of Hearing setting the above-captioned matter for hearing on September 27, 2016.
2. The matter was continued and rescheduled to be convened at 8:00 a.m. on January 17, 2017.
3. No representative for Respondent Jessica Marie Blatzheim appeared at the scheduled time and the matter was convened in her absence at about 8:30 a.m. on January 17, 2017.
4. On August 13, 2015, Respondent submitted to the Department an application for a license. With the application, Respondent included a copy of her fingerprints.
5. The Department issued to Respondent License No. 1122829, which is scheduled to expire on February 28, 2019.
6. The Department forwarded Respondent's fingerprints the Arizona Department of Public Safety ("DPS") for a criminal records background check. Respondent's fingerprints were not of sufficient quality for use in conducting the background check.
7. An applicant who submits illegible fingerprints is considered by the Department to have submitted an incomplete application.

1 8. In a letter dated December 21, 2015, the Department informed Respondent that
2 on or before January 22, 2016, she was required to submit to the Department a
3 replacement set of fingerprints.

4 9. The Department did not receive from Respondent any response to its December
5 21, 2015 letter.

6 10. In a letter dated February 4, 2016, the Department informed Respondent that it
7 was preparing to initiate an administrative action against her license because she had
8 failed to submit a full set of fingerprints.

9 11. The Department's February 4, 2016 letter also informed Respondent that on or
10 before March 4, 2016, she was required to submit the replacement set of fingerprints, or
11 in the alternative, she could surrender her license.

12 12. Respondent did not submit a replacement set of fingerprints and she did not
13 surrendered her license.

14 13. The Department requested that Respondent's license be revoked.

15 CONCLUSIONS OF LAW

16 1. The Department bears the burden of persuasion. ARIZ. REV. STAT. § 41-
17 1092.07(G)(2).

18 2. The standard of proof on all issues is that of a preponderance of the evidence.
19 Ariz. Admin. Code § R2-19-119.

20 3. A preponderance of the evidence is:

21 The greater weight of the evidence, not necessarily established
22 by the greater number of witnesses testifying to a fact but by
23 evidence that has the most convincing force; superior
24 evidentiary weight that, though not sufficient to free the mind
25 wholly from all reasonable doubt, is still sufficient to incline a fair
26 and impartial mind to one side of the issue rather than the other.
27 BLACK'S LAW DICTIONARY 1373 (10th ed. 2014).

28 4. With her application, Respondent was required to submit to the Department a
29 complete set of fingerprints. Respondent's submission of fingerprints did not satisfy this
30 requirement because the quality was not sufficient for DPS's use in conducting the
required background check. See ARIZ. REV. STAT. § 20-285(E)(2).

5. Because Respondent did not submit fingerprints of sufficient quality, her
application is incomplete, which is a violation of ARIZ. REV. STAT. section 20-295(A)(1).

1 6. Respondent's conduct constitutes a violation of ARIZ. REV. STAT., Title 20, which
2 provides grounds for the Director of the Department to revoke Respondent's license.
3 ARIZ. REV. STAT. § 20-295(A)(2).

4 **RECOMMENDED ORDER**

5 **IT IS ORDERED** that Respondent Jessica Marie Blatzheim's License No.
6 1122829 is revoked.

7 *In the event of certification of the Administrative Law Judge Decision by the Director of*
8 *the Office of Administrative Hearings, the effective date of the Order will be five days*
9 *after the date of that certification.*

10 Done this day, January 26, 2017.

11 /s/ Thomas Shedden
12 Thomas Shedden
13 Administrative Law Judge

14 Transmitted electronically to:

15 Leslie R. Hess, Interim Director
16 Arizona Department of Insurance
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