

MAR 29 2017

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY

In the Matter of:

No. 16A-170-INS

KEENAN, NAOMI RITA
(Arizona License # 1153549),
(National Producer # 18043379),

DEFAULT ORDER

Respondent.

On February 23, 2017, the Arizona Department of Insurance ("Department") issued a Notice of Hearing ("Notice") in the above-captioned matter, a copy of which is attached as **Exhibit A** and incorporated by this reference. The Notice required **Naomi Rita Keenan** ("Keenan" or "Respondent") to provide a written answer to the allegations set forth in the Notice within twenty days of the issuance of the Notice. As of this date, Respondent has failed to file an answer. On March 17, 2017, counsel for the Department filed a Motion for Default, a copy of which is attached as **Exhibit B**. As of this date, Respondent has not responded to the Department's request. Pursuant to A.A.C.R20-6-106(D), a party that fails to file an answer within the time provided shall be deemed to be in default and one or more of the allegations in the Notice of Hearing may be deemed to be admitted.

FINDINGS OF FACT

1. Notice was proper.
2. Respondent is in default.
3. The allegations in the Notice are deemed admitted.

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1 **CONCLUSIONS OF LAW**

2 1. The conduct alleged in the Notice constitutes grounds for the Director to
3 suspend, revoke or refuse to renew Respondent's license to transact insurance in Arizona,
4 pursuant to A.R.S. §20-295(A).

5 **ORDER**

6 IT IS ORDERED:

7 1. The insurance license held by Respondent is revoked effective upon the
8 issuance of this Order.

9 2. The hearing set for **April 11, 2017 at 1:00 p.m.** shall be vacated.

10 DATED this 28th day of March, 2017.

11
12 

13 Leslie R. Hess, Interim Director
14 Arizona Department of Insurance

15 **COPY** of the foregoing electronically filed this
16 29th day of March, 2017 to:

17 Diane Mihalsky, Administrative Law Judge
18 Office of Administrative Hearings

19 **COPY** of the foregoing delivered same date to:

20 Mary Kosinski, Regulatory Legal Affairs Officer
21 Steven Fromholtz, Assistant Director, Consumer Protection Division
22 Aqueelah Currie, Licensing Manager
23 Arizona Department of Insurance
24 2910 North 44th Street, Suite 210
25 Phoenix, Arizona 85018

26 **COPY** of the foregoing emailed same date to:

27 Liane Kido
28 Liane.Kido@azag.gov and Teresa.Carranza@azag.gov
29 Attorney for the Arizona Department of Insurance

1 **COPY** mailed same date to:

2 Naomi R. Keenan
3 888 E. Clinton St., Apt. 1053
4 Phoenix, AZ 85020
5 Respondent

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7 5831163

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STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

KEENAN, NAOMI RITA
(Arizona License Number 1153549)
(National Producer Number 18043379),

Respondent.

Docket No. 16A-170-INS

NOTICE OF HEARING

(ALJ Diane Mihalsky)

PLEASE TAKE NOTICE that the above-captioned matter will be heard before the Interim Director of Insurance of the State of Arizona (the "Interim Director") or a duly designated representative on April 11, 2017 at 1:00 p.m., at the Office of Administrative Hearings, 1400 West Washington, Suite 101, Phoenix, Arizona 85007¹.

If you wish to continue this hearing to another date, you must file a motion in writing with the Office of Administrative Hearings not less than 15 days before the scheduled hearing date. Please send it to the attention of the Administrative Law Judge ("ALJ") and include the docket number listed above. You must also mail or hand-deliver a copy of any motion to continue to the Department of Insurance on the same date you file it with the Office of Administrative Hearings.

You are not required to have an attorney represent you. However, if you are represented, your attorney must be licensed to practice law in the State of Arizona. An insurance company may be represented by a corporate officer. A.R.S. § 20-161(B).

¹ As authorized under Arizona Revised Statutes ("A.R.S.") §§ 20-161 through and including 20-165 and Title 41, Chapter 6, Article 10 (A.R.S. § 41-1092 *et seq.*).



1 TRUE. ACCORDINGLY, WE WILL TAKE WHATEVER ACTION IS APPROPRIATE
2 INCLUDING SUSPENSION, REVOCATION, IMPOSITION OF A CIVIL PENALTY AND
3 ORDERING RESTITUTION TO ANY INJURED PERSON.

4 PERSONS WITH DISABILITIES

5 PERSONS WITH DISABILITIES MAY REQUEST REASONABLE
6 ACCOMMODATIONS SUCH AS INTERPRETERS, ALTERNATIVE FORMATS, OR
7 ASSISTANCE WITH PHYSICAL ACCESSIBILITY. REQUESTS FOR ACCOMMODATIONS
8 SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE
9 ACCOMMODATIONS. IF YOU REQUIRE ACCOMMODATIONS, PLEASE CONTACT THE
10 OFFICE OF ADMINISTRATIVE HEARINGS AT (602) 542-9826.

11 The allegations supporting this Notice of Hearing are as follows:

12 1. Naomi Rita Keenan ("Keenan" or "Respondent") is, and was at all material times,
13 licensed as an Arizona resident accident/health and life insurance producer, Arizona license
14 number 1153549, which expires August 31, 2020. Respondent first became licensed with the
15 Department on August 1, 2016.

16 2. Respondent's address of record is: 888 E. Clinton St., Apt. 1053, Phoenix, AZ
17 85020 (business and mailing).

18 3. On or about August 1, 2016, Respondent submitted an application for an
19 individual resident license to the Department ("Application"). Question C1 of the Application
20 asks: Have you EVER been found guilty of, have you had a judgment made against you for, or
21 have you admitted to any of the following? 1. A felony (of any kind)? Respondent answered
22 "No" to Question C1.

23 4. Respondent checked the attestation that she certifies, under penalty of denial,
24 suspension or revocation of the license and under any other penalties that may apply, that the

1 answers, statements and information furnished in the license application are true, correct and
2 complete to the best of her knowledge and belief.

3 5. Respondent signed the Application.

4 **FELONY CONVICTION**

5 5. On or about January 3, 2011, the Superior Court of Arizona, Maricopa County,
6 entered a Suspension of Sentence – Probation Granted in State of Arizona v. Naomi R.
7 Keenan, CR2010-165078 ("Case CR2010-165078"). The Court in Case CR2010-165078
8 found Respondent guilty of Resisting Arrest, a class 6 undesignated felony, and ordered
9 Respondent placed on probation for one year.

10 **CONCLUSIONS OF LAW**

11 1. The Interim Director has jurisdiction over this matter.

12 2. Respondent's conduct, as described above, constitutes obtaining or attempting
13 to obtain a license through misrepresentation or fraud, within the meaning of A.R.S. § 20-
14 295(A)(3).

15 3. Grounds exist for the Interim Director to deny, suspend for not more than twelve
16 months, revoke, or refuse to renew an insurance producer's license pursuant to A.R.S. § 20-
17 295(A).

18 4. Grounds exist for the Interim Director, in addition to or instead of any suspension,
19 revocation or refusal to renew, impose a civil penalty of not more than two hundred fifty dollars
20 for each unintentional failure or violation, up to an aggregate civil penalty of two thousand five
21 hundred dollars, or impose a civil penalty of not more than two thousand five hundred dollars
22 for each intentional failure or violation, up to an aggregate civil penalty of fifteen thousand
23 dollars, within the meaning of to A.R.S. § 20-295(F).

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COPY mailed same date by Regular Mail
and Certified Mail, Return Receipt Requested, to:

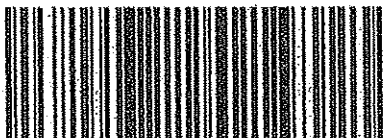
Naomi R. Keenan
888 E. Clinton St., Apt. 1053
Phoenix, AZ 85020
Respondent

COPY sent same date via electronic mail to:

Liane Kido
Assistant Attorney General
Consumer@azag.gov
Attorney for the Department of Insurance

Madeine Scheiner
Madeine Scheiner
5753177

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.
CERTIFIED MAIL



7014 3490 0001 8000 8935

SENDER COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>Naomi R. Keenan</i>	
1. Article Addressed to: <div style="border: 1px solid black; padding: 5px; width: fit-content;"> Naomi R. Keenan 888 E Clinton Street, Apt. 1053 Phoenix, AZ 85020 </div>		B. Received by (Printed Name) _____ C. Date of Delivery <i>3/1/13</i>	
2. Article Number _____ <small>(Transfer from service label)</small>		D. Is delivery address different from Item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>If YES, enter delivery address below:</small>	
3. Service type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, July 2013		Domestic Return Receipt	

UNITED STATES POSTAL SERVICE
 933330
 MAR 17
 11031

First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

STATE OF ARIZONA RECEIVED
 MAR - 6 - 2017
 DEPT. OF INSURANCE BY:

* Sender, please print your name, address, and ZIP+4® in this box.*

Arizona Dept. of Insurance
 2910 N. 44th St., Suite 210
 Phoenix, AZ 85018

201. Res...
Docket # 16A-170-INS

MAR 17 2017

DEPARTMENT OF INSURANCE
BY MR K

1 MARK BRNOVICH
2 Attorney General
3 Firm Bar No. 14000
4
5 Liane Kido
6 State Bar No. 023696
7 Assistant Attorney General
8 Consumer Protection & Advocacy Section
9 1275 West Washington Street
10 Phoenix, Arizona 85007-2926
11 Telephone: (602) 542-8011
12 Facsimile: (602) 542-4377
13 E-mail: Liane.Kido@azag.gov
14 Attorneys for the Arizona Department of Insurance

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

No. 16A-170-INS

12 KEENAN, NAOMI RITA
13 (Arizona License # 1153549),
14 (National Producer # 18043379),

MOTION FOR DEFAULT

Respondent.

16 The Arizona Department of Insurance ("Department"), by and through undersigned
17 counsel, hereby requests that the Findings of Fact and Conclusions of Law set forth in the
18 Notice of Hearing and incorporated herein by reference be entered in this matter, deeming
19 Naomi Rita Keenan ("Keenan" or "Respondent"), in default, deeming the allegations set
20 forth in the Notice as true, and ordering that Respondent's insurance license be revoked.

21 On February 23, 2017, a Notice of Hearing ("Notice") was filed in this matter and
22 served upon Naomi Keenan at her address of record via certified mail pursuant to A.R.S. §
23 41-1092.04. On February 28, 2017, the Department received the certified mail return
24 receipt, No. 7014 3490 0001 8000 8935, showing that the Notice had been delivered and
25 accepted at Naomi Keenan's mailing address of record: 888 E. Clinton Street, Apt. 1053,
26



1 Phoenix, AZ 85020. A copy of the certified mail receipt is attached to this request as
2 Exhibit A.

3 Respondent had twenty (20) days from the date of issuance of the Notice to file a
4 written answer to the allegations contained therein pursuant to Arizona Administrative Code
5 ("A.A.C") R20-6-106. As of the date of this Motion, Respondent has not filed an answer nor
6 has she appeared through counsel. Rule 20-6-106(D) of the Arizona Administrative Code
7 provides that if an answer is not timely filed, the Respondent shall be deemed in default
8 and the Director may deem the allegations set forth in the Notice of Hearing as true and
9 take whatever action is appropriate including revoking the license.

10 The allegations supporting the Notice of Hearing are as follows:

11 1. Naomi Rita Keenan ("Keenan" or "Respondent") is, and was at all material
12 times, licensed as an Arizona resident accident/health and life insurance producer, Arizona
13 license number 1153549, which expires August 31, 2020. Respondent first became
14 licensed with the Department on August 1, 2016.

15 2. Respondent's address of record is: 888 E. Clinton St., Apt. 1053, Phoenix,
16 AZ 85020 (business and mailing).

17 3. On or about August 1, 2016, Respondent submitted an application for an
18 individual resident license to the Department ("Application"). Question C1 of the
19 Application asks: Have you EVER been found guilty of, have you had a judgment made
20 against you for, or have you admitted to any of the following? 1. A felony (of any kind)?
21 Respondent answered "No" to Question C1.

22 4. Respondent checked the attestation that she certifies, under penalty of denial,
23 suspension or revocation of the license and under any other penalties that may apply, that
24 the answers, statements and information furnished in the license application are true,
25 correct and complete to the best of her knowledge and belief.

26

1 5. Respondent signed the Application.

2 FELONY CONVICTION

3 6. On or about January 3, 2011, the Superior Court of Arizona, Maricopa
4 County, entered a Suspension of Sentence – Probation Granted in State of Arizona v.
5 Naomi R. Keenan, CR2010-165078 ("Case CR2010-165078"). The Court in Case
6 CR2010-165078 found Respondent guilty of Resisting Arrest, a class 6 undesignated
7 felony, and ordered Respondent placed on probation for one year.

8 Based upon the foregoing, the Department respectfully requests that the allegations
9 set forth in the February 23, 2017 Notice of Hearing be deemed admitted and that
10 Respondent's insurance license be revoked.

11 RESPECTFULLY SUBMITTED this 17th day of March, 2017.

12 MARK BRNOVICH, Attorney General

13
14 By /s/ Liane Kido
15 Liane Kido, Assistant Attorney General
16 Consumer Protection & Advocacy Section
Attorneys for the Arizona Department of Insurance

17 COPY of the foregoing electronically filed this
18 17th day of March, 2017 to:

19 Mary Kosinski, Regulatory Legal Affairs Officer
20 Steven Fromholtz, Assistant Director, Consumer Protection Division
21 Aqueelah Currie, Licensing Manager
Arizona Department of Insurance

22 COPY mailed same date to:

23 Naomi R. Keenan
24 888 E. Clinton St., Apt. 1053
Phoenix, AZ 85020
Respondent

25 S. Hack
26 5831201