

1 3. On November 15, 1994, Professional Claims
2 submitted a corporate application for an insurance adjuster
3 license to the Department.

4 4. On January 27, 1995, the Department denied the
5 applications submitted by Professional Claims and Mr. Hintz.
6 Both Professional Claims and Mr. Hintz submitted timely requests
7 for hearing.

8 5. In the hearing of this matter, Professional Claims
9 and Mr. Hintz had the burden of proof to establish their
10 eligibility for the issuance of the requested insurance licenses.

11 6. In the applications, Professional Claims and Mr.
12 Hintz disclosed that Mr. Hintz had been convicted of a felony for
13 an offense that occurred on July 28, 1976. Mr. Hintz was born on
14 November 25, 1956.

15 7. On February 4, 1977, the Pima County Superior
16 Court entered a judgment of guilt against Mr. Hintz for second
17 degree arson. State of Arizona v. Carlos Wayne Hintz, Pima
18 County Superior Court Cause No. A-030788 ("State v. Hintz"). The
19 court sentenced Mr. Hintz to probation for five years, ordered
20 the payment of \$3,000 in restitution within five years, and
21 directed that he receive counseling.

22 8. Mr. Hintz testified at hearing that he set fire to
23 some merchandise in the storage area at his place of work after
24 work hours when only one other person (another employee) was in
25 the store. He explained when he set the fire, emotional problems
26 led him to exercise extremely poor judgment.

27 9. On September 10, 1979, less than three years after
28 his conviction, the Pima County Superior Court entered an order

1 that terminated the probation entered against Mr. Hintz in State
2 v. Hintz. The petition to terminate the probation filed by Mr.
3 Hintz' probation officer recommended the early release of Mr.
4 Hintz from probation and noted that Mr. Hintz had been a law
5 abiding person, had worked steadily, had paid the required
6 restitution, and had undergone successful counseling.

7 10. On October 29, 1979, the Pima County Superior
8 Court entered an order that set aside the arson conviction
9 entered in State v. Hintz, dismissed the arson charges, and
10 restored Mr. Hintz' civil rights.

11 11. Following the termination of the proceedings in
12 State v. Hintz, Mr. Hintz presented evidence that he has been a
13 law abiding citizen. He testified that following his graduation
14 from the University of Arizona with a bachelor's degree, he
15 volunteered to join the United States Navy. Mr. Hintz stated
16 that he told the Navy about the conviction in State v. Hintz and
17 its disposition when he volunteered for service. Despite the
18 fact of the conviction, the Navy admitted Mr. Hintz to its ranks,
19 where he served as an officer between 1981 and 1985. Mr. Hintz
20 further testified that upon completion of his service in the
21 Navy, he received an honorable discharge.

22 12. Following his discharge from the Navy, Mr. Hintz
23 testified that he has been continuously employed, with
24 substantial experience working for licensed adjusters.

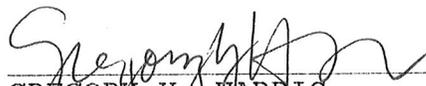
25 13. The evidence introduced at this proceeding did not
26 establish the existence of other offenses committed or
27 convictions entered against Mr. Hintz that would raise questions
28 about his honesty, integrity, or personal values.

1 days of the issuance of this Order, Mr. Hintz shall file with the
2 Department, individually and on behalf of Professional Claims
3 Services, Inc., notice of the current mailing address for both
4 himself and Professional Claims Services, Inc.

5 EFFECTIVE this 28th day of April, 1995.

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8 CHRIS HERSTAM
9 Director of Insurance

10 

11 GREGORY Y. HARRIS
12 Chief Administrative Law Judge

13 **NOTIFICATION OF RIGHTS**

14 The aggrieved party may request a rehearing with respect
15 to this Order by filing a written petition with the Administrative
16 Law Division within 30 days of the date of this Order, setting
17 forth the basis for such relief pursuant to A.A.C. R4-14-114(B).

18 The final decision of the Director may be appealed to
19 the Superior Court of Maricopa County for judicial review pursuant
20 to A.R.S. §20-166.

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COPY of the foregoing mailed/delivered
this 28th day of April, 1995, to:

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Charles R. Cohen, Executive Assistant Director
John Gagne, Manager, Investigations
Maureen Catalioto, Supervisor, Licensing
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