

JUL 25 2017

STATE OF ARIZONA

DEPARTMENT OF INSURANCE DEPT OF INSURANCE
BY ml

In the Matter of:

ZELDIN, TAYLOR
(National Producer No. 18034367)
(Legacy License ID No. 1152977)

No. 17A-033-INS

ORDER

Respondent.

On July 19, 2017, the Office of Administrative Hearings, through Administrative Law Judge Velva Moses-Thompson, issued an Administrative Law Judge Decision ("Recommended Decision"), received by the Interim Director of the Department of Insurance ("Interim Director") on July 19, 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 of **Taylor Zeldin** 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 20th day of July, 2017.

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

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11 COPY of the foregoing mailed this
12 25th day of July, 2017, to:

13 Taylor Zeldin
14 8753 E. Bell Rd., Suite 110
Scottsdale, AZ 85260
Respondent

15 Taylor Zeldin
16 2700 N. Hayden Rd., Apt. 1072
Scottsdale, AZ 85257
17 Respondent

18 Taylor Zeldin
19 TZELDIN10@GMAIL.COM
Respondent

20 Mary Kosinski, Regulatory Legal Affairs Officer
Catherine O'Neil, Consumer Legal Affairs Officer
21 Steven Fromholtz, Assistant Director – Consumer Protection Division
Aqueelah Currie, Licensing
22 Sharyn Kerr, Consumer Protection Division
Arizona Department of Insurance
23 2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

24 Liane Kido
25 Assistant Attorney General
1275 West Washington Street
26 Phoenix, Arizona 85007-2926

1 Office of Administrative Hearings
1400 West Washington, Suite 101
2 Phoenix, Arizona 85007

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4 *Maidene Scheiner*
Maidene Scheiner

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JUL 19 2017

DEPT. OF INSURANCE
BY: *MLK*

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

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In the Matter of:

Zeldin, Taylor
(Arizona License #1152977)
(National Producer #18034367)

Respondent.

No. 17A-033-INS

ADMINISTRATIVE LAW JUDGE
DECISION

HEARING: June 29, 2017

APPEARANCES: Respondent Taylor Zeldin did not appear. Assistant Attorney General Liane C. Kido appeared on behalf of the Arizona Department of Insurance.

ADMINISTRATIVE LAW JUDGE: Velva Moses-Thompson

FINDINGS OF FACT

- 1. On May 22, 2017, the Arizona Department of Insurance ("Department") issued a Notice of Hearing setting the above-captioned matter for hearing at 1:00 p.m. on June 29, 2017.
- 2. No representative for Respondent Taylor Zeldin appeared at the scheduled time and the matter was convened in his absence at about 1:20 p.m.
- 3. On July 25, 2016, Respondent submitted to the Department an application for a resident accident/health, sickness and life, variable life and variable annuity insurance producer's license. With the application, Respondent included a copy of his fingerprints.
- 4. The Department issued to Respondent a license as a resident insurance producer, National Producer Number 18034367.
- 5. In a letter dated December 6, 2016, the Department informed Respondent that on or before December 27, 2016, he was required to submit to the Department a replacement set of fingerprints.

1 6. An applicant who submits illegible fingerprints is considered by the
2 Department to have submitted an incomplete application.

3 7. The Department did not receive a response from Respondent to its
4 December 6, 2016 letter.

5 8. In a letter dated January 6, 2017, the Department informed Respondent
6 that it was preparing to initiate an administrative action against his license because he
7 had failed to submit a full set of fingerprints.

8 9. The Department's January 6, 2017 letter also informed Respondent that
9 on or before January 27, 2017, he was required to submit the replacement set of
10 fingerprints, or in the alternative, he could surrender his license.

11 10. Respondent did not submit a replacement set of fingerprints and he did
12 not surrendered his license.

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

14 **CONCLUSIONS OF LAW**

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

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

19 3. A preponderance of the evidence is:

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

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

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

 6. Respondent's conduct constitutes a violation of ARIZ. REV. STAT., Title 20,

1 which provides grounds for the Director of the Department to revoke Respondent's
2 license. ARIZ. REV. STAT. § 20-295(A)(2).

3 **RECOMMENDED ORDER**

4 **IT IS ORDERED** that Respondent Taylor Zeldin's license is revoked.

5 Done this day, July 19, 2017

6
7 Velva Moses-Thompson
8 Administrative Law Judge
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11 Transmitted electronically to:

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