

1 4. On or about April 14, 1994, Respondent achieved a passing score
2 on her Agent's, Broker's, and Solicitor's Property and Casualty
3 examination, and her score was duly reported to the Department by the
4 Insurance Testing Corporation.

5 5. On or about September 22, 1994, Respondent's employer,
6 Alexander & Alexander, made an inquiry to the Licensing Section of the
7 Department about the peculiar issue and expiration dates contained on a
8 document purported to be Respondent's Property and Casualty license.

9 6. The Department records revealed evidence of Respondent's
10 passing score on the property and casualty exam, but no evidence of
11 Respondent's application for an agent's license was found.

12 7. Department employees examined the document purported to be
13 Respondent's Property and Casualty agent's license and found that
14 Respondent's document varied from a license issued by the Department in
15 that:

- 16 a. the typestyle found on Respondent's document was larger
17 than that used by the Department.
18 b. the license number was not a valid number issued by the
19 Department.
20 c. the expiration date preceded the issue date.
21 d. there was a discrepancy with the background pattern used
22 on
23 Department licenses.

24 8. The document Respondent held out as her license included an
25 issue date of April 12, 1994 and an expiration date of March 31, 1994.

26 9. Respondent's application for an individual insurance license was
27 submitted to the Department on or about September 22, 1994.

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CONCLUSIONS OF LAW

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1. The Director has jurisdiction over this matter.
2. Respondent's conduct constitutes acting as and holding oneself out to be an agent without a license, in violation of A.R.S. §20-287(A).
3. Respondent's conduct in acting as an agent without first obtaining a license constitutes a statement with respect to the conduct of Respondent's insurance business which is untrue, deceptive and misleading, in violation of A.R.S. §20-444(A).
4. Respondent's conduct constitutes an unfair or deceptive act or practice in the business, in violation of A.R.S. §20-442.
5. Grounds exist for entry of the following order, pursuant to A.R.S. §20-456(B).

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ORDER

IT IS HEREBY ORDERED THAT:

1. Suzanne Faye Prescott shall cease and desist from acting as or holding herself out to be an insurance agent in Arizona.

2. Respondent shall pay a civil penalty in the amount of one hundred dollars (\$100) to the Director, within 20 days from the date of the entry of this Order, for remission to the State Treasurer for deposit in the State General Fund.

DATED AND EFFECTIVE this 12th day of ^{December}~~November~~, 1994.



Chris Herstam, Director
Department of Insurance

CONSENT TO ORDER

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1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.

2. Respondent admits the jurisdiction of the Director of Insurance, State of Arizona, and admits the foregoing Findings of Fact and Conclusions of Law and consents to the entry of this Order.

3. Respondent is aware of her right to a hearing at which Respondent may be represented by counsel, present evidence and cross-examine witnesses. Respondent hereby irrevocably waive her right to such public hearing and to any court appeals relating thereto.

4. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to her to induce her to enter into this Order and that she has entered into this Order voluntarily.

5. Respondent acknowledges that the acceptance of this Order by the Director of Insurance, State of Arizona, is solely for the purpose of settling this matter against her and does not preclude any other agency or officer of this state or subdivision thereof from instituting civil or criminal proceedings as may be appropriate now or in the future.

11/29/94
(Date)

By Suzanne Faye Prescott
SUZANNE FAYE PRESCOTT

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Copies of the foregoing mailed/delivered

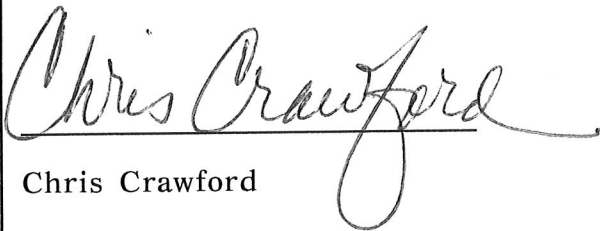
this 12th day of ~~November~~, 1994, to:
December

- Suzanne F. Prescott
- 334 West Oregon
- Phoenix, Arizona 85013

- Chris Herstam, Director
- Gay Ann Williams, Deputy Director
- Charles Cohen, Executive Assistant Director
- Erin Klüg, Executive Assistant
- Catherine O'Neil, Assistant Director
- Deloris Williamson, Assistant Director
- Gary Torticill, Assistant Director
- Kelly McKay, Deputy Assistant Director
- John Gagne, Acting Manager, Investigations Unit
- Maureen Catalioto, Supervisor, Licensing Division
- Department of Insurance
- 2910 North 44th Street, Suite 210
- Phoenix, Arizona 85018

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