

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

ARNOLD-CANEZ, MARISOL BERENICE
(National Producer No. 10978161)

Respondent

No. 21A-008-INS

CONSENT ORDER

The Arizona Department of Insurance and Financial Institutions (“Department”) has received evidence that **Marisol Berenice Arnold-Canez (“Respondent”)** violated provisions of Title 20, Arizona Revised Statutes (“A.R.S”). Respondent wishes to resolve this matter without the commencement of formal proceedings, and admit the following Finding of Fact are true, and consent to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent is, and was at all material times, licensed as an Arizona resident insurance producer with four lines of authority: Life, Accident and Health or Sickness, Property, and Casualty. Her license, number 10978161, was last renewed on November 1, 2019, and it is scheduled to expire on October 31, 2023.

2. Respondent’s business address of record with the Department is 7011 North 57th Avenue, Suite J, Glendale, Arizona 85301. The mailing address on record is 9133 West Riverside Avenue, Tolleson, Arizona 85353-5556. Respondent’s business e-mail address of record with the Department is marnold@state48insurancebrokerofaz.com.

Farmers Insurance Complaint

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2 3. On or about July 24, 2020, Farmers (“Farmers”) submitted a complaint to the
3 Department. The complaint alleged that Respondent was terminated for cause after Farmers’
4 internal investigation revealed that Respondent “intentionally manipulated insurance policies
5 in order to provide customers with unwarranted policy premium discounts totaling an
6 estimated \$166,088” between October 2017 and April 2020.

7 4. Farmers’ complaint alleged that Respondent intentionally misrated
8 approximately fifty (50) auto policies by changing the zip codes of the insureds’ garaging
9 address to more favorable zip codes. Two of the policies were for Respondent’s personal
10 vehicles with the garaging addresses at 2154 E Quail Run Rd., Kingman, AZ 86049.

11 5. According to Farmers’ investigation file, Farmers interviewed Respondent by
12 telephone on or about April 28, 2020, presenting her with two examples of such policies.
13 When Farmers asked Respondent why her agency would input the wrong city and zip code
14 for the garaging location, Respondent stated, “it must have been done by error in each case.”
15 Farmers then advised Respondent that 46 other policies showed the same pattern of incorrect
16 zip codes being written as the garaging location zip code and asked for an explanation why
17 so many would be found. Respondent stated, “those must also be mistakes.” Respondent
18 denied intentionally misrating any customer policies in order to lower their premium.

19 6. Following the interview, Respondent signed a written statement, dated April
20 28, 2020, where she states, “The 48 policies in question ... may all show issues with the
21 garaging locations because mistakes could have been made by my agency inputting the
22 information.”

1 7. Respondent stated that two of her four personal vehicles have “a garaging
2 location of 2154 E Quail Run Rd., Kingman, AZ 86049. This is a property owned by a
3 family trust/estate (I am not exactly sure) which is through my husband’s family.” When
4 asked about the policies, Respondent stated that the garaging location was a property owned
5 by her husband’s family trust, but declined to provide additional information on that topic.

6 8. Farmers conducted a property address search of 2154 E. Quail Run R.,
7 Kingman, AZ 86049 (the “Kingman Property”) and found that John Farris and Norma Quinn
8 were listed as the property owners since December 20, 2018. Prior to that date, the Kingman
9 property was owned by Janice Sturgill from May 27, 1993 until 2018.

10 9. Following Farmers’ complaint the Department commenced an investigation in
11 to this matter.

12 10. The Department was able to confirm that on or about April 2, 2019,
13 Respondent electronically wrote and submitted her personal auto insurance policy that
14 contained the Kingman property garaging address which was different than her
15 residential/ mailing address in Tolleson, AZ.

16 11. Respondent continued maintaining the Kingman property garaging address on
17 her auto insurance policy even after policy renewal on April 2, 2020.

18 12. The Department confirmed with the current and former owners of the Kingman
19 Property that they did not know who Respondent and her husband are.

20 13. On or about December 15, 2021, The Department conducted an in-person
21 interview with Respondent and her attorney. During the interview, Respondent confirmed
22 she wrote all fifty (50) auto policies. Respondent stated that neither she nor her husband is

1 associated with the property located in Kingman, AZ and that she mistakenly listed the
2 Kingman address on the policy. Respondent stated that she learned about the incorrect
3 garaging address on the auto policy in July 2020.

4 14. When asked why the specific Kingman Property address was used as her
5 garaging address, she stated she may have copied the address down by mistake from her
6 notepad or some other document at the time she was completing her policy.

7 CONCLUSIONS OF LAW

8 15. The Director of the Department (“Director”) has jurisdiction over this matter.
9 Respondent’s conduct, as described above, constitutes a violation of Title 20 or any
10 rule, subpoena or order of the Director, within the meaning of A.R.S. § 20-295(A)(2).

11 16. Respondent’s conduct, as described above, constitutes conduct in violation of
12 A.R.S. § 20-295(A)(8).

13 17. Respondent’s conduct, as described above, constitutes knowingly presenting,
14 causing to be presented or preparing with the knowledge or belief that it will be presented, an
15 oral or written statement, including computer generated documents, to an insurer that
16 contains untrue statements of material fact or that fails to state any material fact with respect
17 to the application for the issuance of an insurance policy, in violation of A.R.S. § 20-
18 463(A)(1)(a).

19 18. Grounds exist for the Director to suspend for not more than twelve months or
20 revoke Respondent’s insurance producer license, pursuant to A.R.S. § 20-295(A).

21 19. Grounds exist, in addition to or instead of any suspension or revocation, for the
22 Director to impose a civil penalty of not more than \$250.00 for each unintentional failure or

1 violation up to an aggregate civil penalty of \$2,500.00, or impose a civil penalty of not more
2 than \$2,500.00 for each intentional failure or violation, up to an aggregate civil penalty of
3 \$15,000.00, within the meaning of A.R.S. § 20-295(F).

4 **ORDER**

5 IT IS HEREBY ORDERED THAT:

6 20. The insurance producer license of **Marisol Berenice Arnold-Canez** is
7 suspended for 180 calendar days, effective June 8, 2021 through December 5, 2021.

8 21. Marisol Berenice Arnold-Canez shall immediately pay a civil penalty of five
9 thousand dollars (\$5,000.00).

10 Effective this 8th day of June, 2021.

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13 Evan G. Daniels, Director
14 Arizona Department of Insurance and
15 Financial Institutions
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1 **CONSENT TO ORDER**

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

4 2. Respondent admits to the jurisdiction of the Director of the Arizona
5 Department of Insurance and Financial Institutions and admits the foregoing Findings of Fact
6 and consents to the entry of the foregoing Conclusions of Law and Order.

7 3. Respondent is aware of her right to notice and to a hearing, at which she may
8 be represented by counsel, present evidence and examine witnesses.

9 4. Respondent irrevocably waives her right to such notice and hearing and to any
10 court appeals relating to this Consent Order.

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

14 6. Respondent acknowledges and agrees that the acceptance of this Consent
15 Order by the Director is solely to settle this matter and does not preclude the Department
16 from instituting other proceedings as may be appropriate now or in the future. Furthermore,
17 and notwithstanding any language in this Consent Order, this Consent Order does not
18 preclude in any way any other state agency or officer or political subdivision of this state
19 from instituting proceedings, investigating claims, or taking legal action as may be
20 appropriate now or in the future relating to this matter or other matters concerning
21 Respondent, including but not limited to violations of Arizona's Consumer Fraud Act.
22 Respondent acknowledges that, other than with respect to the Department, this Consent

1 Order makes no representations, implied or otherwise, about the views or intended actions of
2 any other state agency or officer or political subdivision of the state relating to this matter or
3 other matters concerning Respondent.

4 7. Respondent acknowledges that this Consent Order is an administrative action
5 that the Department will report to the National Association of Insurance Commissioners
6 (NAIC). Respondent further acknowledge that she must report this administrative action to
7 any and all states in which she holds an insurance license and must disclose this
8 administrative action on any license application.

9 8. Respondent waives all rights to seek an administrative or judicial review or
10 otherwise to challenge or contest the validity of this Consent Order and its accompanying
11 parts before any court of competent jurisdiction.

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13 Jun 8, 2021

14 Date

Marisol Arnold
Marisol Berenice Arnold-Canez
(NPN License No. 10978161)

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1 **COPY** of the foregoing delivered by E-mail
this 9th day of June, 2021, to:

2
3 Marisol Arnold-Canez
4 9133 W Riverside Ave
5 Tolleson, AZ 85353-5556
6 Marnold928@gmail.com
7 marnold@state48insurancebrokersofaz.com
8 Respondent

9
10 Colin S. Bell
11 777 E. Thomas Rd, Suite 210
12 Phoenix, AZ 85014
13 colin@arizonalawgroup.com
14 Respondent's Attorney

15 **COPY** of the foregoing delivered/emailed same date, to:

16
17 Deian Ousounov, Regulatory Legal Affairs Officer
18 Ana Starcevic, Paralegal Project Specialist
19 Catherine M. O'Neil, Consumer Legal Affairs Office
20 Steven Fromholtz, Division Manager, Licensing Division
21 Aqueelah Currie, Licensing Supervisor
22 Jeff Eavenson, Investigator
Linda Lutz, Legal Assistant, Licensing Division
Arizona Department of Insurance
100 North 15th Avenue, Suite 261
Phoenix, Arizona 85007-2630

Francine Juarez

Francine Juarez



**Arizona Department of Insurance and Financial Institutions
RECEIPT OF PAYMENT**

Our mission is to help Arizonans receive the benefits and protections to which they are legally entitled by enforcing insurance and financial-institution laws and by providing information and assistance; and, to combat vehicle theft.

Date:	06/08/2021
Receipt #:	0083593
ADDITIONAL INFORMATION: License Number: 10978161 MARISOL BERENICE ARNOLD- CANEZ	

Payor/Licensee Name:	BANK OF AMERICA - CC
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Description of Fee	Amount
PNLTY-CONSENT ORDER REVENUES	\$5,000.00
Transaction Total:	\$5,000.00

Payment Information	
Amount Paid by Check 1298517986:	\$5,000.00
Credit Tendered:	\$0.00
Cash Tendered:	\$0.00
Change Returned:	\$0.00
Payment Total:	\$5,000.00

The Arizona Department of Insurance and Financial Institutions continually works to improve service to its customers. Please e-mail or mail any ideas on how we can improve to:

Mary Jordan
100 N. 15th Ave. # 102
Phoenix, Arizona 85007-2624
e-mail: Mary.Jordan@difi.az.gov