

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

No. 21A- 066 -INS

NOONAN, CONLAN PATRICK
(National Producer No. 18847352)

CONSENT ORDER

Respondent

The Arizona Department of Insurance and Financial Institutions (“Department”) has received evidence that **Conlan Patrick Noonan** (“Noonan” or “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. Noonan is, and was at all material times, licensed as an Arizona resident insurance producer with two lines of authority: life and accident and health or sickness insurance. His license, number 18847352, was issued on July 17, 2018, and is scheduled to expire on May 31, 2022.

2. Noonan’s business address of record with the Department is 7426 East Stetson Drive Unit 3043, Scottsdale, Arizona 85251-3880. His mailing address of record is 5309 Rogers Street, Davis, California 95618-7203. Noonan’s business e-mail address of record with the Department is NoonanConlan@gmail.com .

1 **Americo Insurance Company Complaint**

2 3. On March 23, 2020, Americo Financial Life and Annuity Insurance Company
3 (“Americo”) submitted a complaint to the Department alleging that insurance applications
4 listing Noonan as the selling agent were submitted with forged applicant signatures.

5 4. Americo provided the Department with records related to five separate life
6 insurance applications in which Noonan was listed as the selling agent. Part of the records
7 contained telephone recordings of calls between Americo’s representatives and the
8 applicants.

9 5. In three of these recordings, the applicants stated that the agent who sold them
10 their Americo policy was a person named Daniel Jiles and that they were unaware of anyone
11 by the name of Noonan.

12 6. A further review of the five Americo life insurance applications revealed that
13 Noonan’s purported electronic signature was distinctly different on all five applications. The
14 purported Noonan signatures also did not match the signature on his Americo agent
15 appointment documents.

16 **Mutual of Omaha Insurance Complaint**

17 7. On July 29, 2020, the Mutual of Omaha Insurance Company (“Omaha”)
18 submitted a complaint to the Department alleging that ten life insurance applications listing
19 Noonan as the selling agent were submitted with fraudulent information related to the
20 applicants.

21 8. Omaha provided the Department with records related to insurance applications
22 that listed Noonan as the selling agent. Part of the records contained telephone call

1 recordings between Omaha representatives and an applicant named Williams.

2 9. In this recording, Williams stated that Daniel Jiles¹ (“Jiles”) sold her the
3 insurance policy and that she does not know who Noonan is nor had she ever met a person
4 named Noonan.

5 10. On or about March 1, 2021, the Department conducted a virtual meeting with
6 Noonan. Noonan stated he had been an appointed agent with both Americo and Omaha at the
7 time these various policies were sold.

8 11. During the meeting, Noonan indicated that he provided Jiles with his login
9 information for both Americo and Omaha, which granted Jiles access to both insurers’
10 electronic binding authority. Noonan indicated that he had an agreement with Jiles to receive
11 a percentage of commissions on all policies Jiles sold by using Noonan’s binding authority
12 with Americo and Omaha.

13 12. Noonan confirmed that he did not personally sell any of the Americo or Omaha
14 policies listed on the complaints. Noonan also confirmed that the signature showing on the
15 Americo applications was not his own signature. Noonan stated that either Jiles or another
16 member of their sales team completed the sale of the Americo and Omaha policies and
17 forged his signature.

18 **Change of Address Violation**

19 13. On or about August 5th 2020, Noonan advised the Department’s investigator
20 that his mailing and business addresses on file at the Department were not up to date. At that
21 time, the Department’s investigator advised Noonan to update his address and provided him

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¹ Jiles is, and was at all material times, licensed as an Arizona resident insurance producer. License number 18831325.

1 with the change of address form.

2 14. On March 1, 2021, Noonan advised the Department he was now living in
3 Phoenix, Arizona. However, Noonan's mailing address of record with the Department
4 reflected the city of Davis, Arizona rather than Davis, California.

5 15. Noonan did not update his current addresses and contact information with the
6 Department within 30 days².

7 **CONCLUSIONS OF LAW**

8 16. The Director of the Department ("Director") has jurisdiction over this matter.

9 17. Respondent's conduct, as described above, constitutes a violation of Title 20 or
10 any rule, subpoena or order of the Director, within the meaning of A.R.S. § 20-295(A)(2).

11 18. Respondent's conduct, as described above, constitutes demonstrating
12 incompetence in the conduct of business in this state or elsewhere, in violation of A.R.S. §
13 20-295(A)(8).

14 19. Respondent's conduct, as described above, constitutes failure to notify the
15 Director within thirty days of any change of residential, business, or e-mail address, in
16 violation of A.R.S. § 20-286(C)(1).

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

19 22. Grounds exist, in addition to or instead of any suspension or revocation, for the
20 Director to impose a civil penalty of not more than \$250.00 for each unintentional failure or
21 violation up to an aggregate civil penalty of \$2,500.00.

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² On April 26, 2021, Noonan updated his addresses of record with the Department which are reflected on this Order.

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ORDER

IT IS HEREBY ORDERED THAT:

1. The producer license of **Conlan Patrick Noonan** is suspended for 30 calendar days, effective August 1, 2021 through August 31, 2021.

2. **Conlan Patrick Noonan** shall immediately pay a civil penalty of two hundred fifty dollars (\$250).

Effective this 1st day of August, 2021.



Evan G. Daniels
Director
Arizona Department of Insurance and Financial Institutions

CONSENT TO ORDER

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

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

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

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

1 5. Respondent states that no promise of any kind or nature whatsoever, except as
2 expressly contained in this Consent Order, was made to induce him to enter into this Consent
3 Order and that he has entered into this Consent Order voluntarily.

4 6. Respondent acknowledges and agrees that the acceptance of this Consent
5 Order by the Director is solely to settle this matter and does not preclude the Department
6 from instituting other proceedings as may be appropriate now or in the future. Furthermore,
7 and notwithstanding any language in this Consent Order, this Consent Order does not
8 preclude in any way any other state agency or officer or political subdivision of this state
9 from instituting proceedings, investigating claims, or taking legal action as may be
10 appropriate now or in the future relating to this matter or other matters concerning
11 Respondent, including but not limited to violations of Arizona's Consumer Fraud Act.
12 Respondent acknowledges that, other than with respect to the Department, this Consent
13 Order makes no representations, implied or otherwise, about the views or intended actions of
14 any other state agency or officer or political subdivision of the state relating to this matter or
15 other matters concerning Respondent.

16 7. Respondent acknowledges that this Consent Order is an administrative action
17 that the Department will report to the National Association of Insurance Commissioners
18 (NAIC). Respondent further acknowledges that he must report this administrative action to
19 any and all states in which he holds an insurance license and must disclose this
20 administrative action on any license application.

21 8. Respondent waives all rights to seek an administrative or judicial review or
22 otherwise to challenge or contest the validity of this Consent Order and its accompanying

1 parts before any court of competent jurisdiction.

2 7/16/2021



3 _____
Date

Conlan Patrick Noonan
(NPN License No. 18847352)

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7 **COPY** of the foregoing delivered by E-mail
8 this 17th day of August, 2021, to:

9 Conlan Patrick Noonan
10 5309 Rogers Street
11 Davis, CA 95618
12 NoonanConlan@gmail.com
13 Respondent

14 David R. Seidman, Esq.
15 Hassett Glasser, P.C.
16 1221 E. Osborn Rd., Ste. 102A
17 Phoenix, AZ 85014
18 david@hassettglasser.com
19 Attorneys for Respondent

20 **COPY** of the foregoing delivered/mailed same date, to:

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

23 Francine Juarez

Francine Juarez