

**STATE OF ARIZONA**

**DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS**

In the Matter of:

No. 21A- 090 -INS

**OSTLER, NICHOLAS CHRISTIAN**  
(National Producer No. 19639855)

**CONSENT ORDER**

Respondent.

The Arizona Department of Insurance and Financial Institutions (“Department”) has received evidence that **Nicholas Christian Ostler (“Ostler” 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. Ostler is, and was at all material times, licensed as an Arizona non-resident insurance producer with a line of authority in life insurance. Ostler’s license, number 19639855, was issued on January 1, 2021, and is scheduled to expire on June 30, 2024.

2. Ostler’s business and mailing address of record with the Department is 4150 South Hualapai Way Unit #1023, Las Vegas, Nevada 89147. Ostler’s business e-mail address of record with the Department is [nicholascostler@gmail.com](mailto:nicholascostler@gmail.com).

**Consumer Complaint**

3. On or about April 14, 2021, a consumer submitted a written complaint to the

1 Department alleging Ostler created a life insurance policy without his knowledge or consent.  
2 The consumer advised that he engaged Ostler only to obtain a quote for a life insurance  
3 policy.

4 4. According to the consumer, \$342 was withdrawn from his bank account for a  
5 life insurance policy which resulted in an overdraft fee. After finding out about the  
6 withdrawal, the consumer contacted Ostler and requested that Ostler cancels his life  
7 insurance policy and refunds the withdrawn premium. According to consumer, Ostler did  
8 not take any actions to cancel the policy and refund his/her premium. The consumer had to  
9 personally contact the insurance company and cancel the life insurance policy and demand a  
10 refund of the withdrawn premium amount.

11 5. The Department received a copy of the consumer's policy application from  
12 Americo Financial Life and Annuity Insurance Company ("Americo"). The application  
13 showed the consumer's initials "JF" and Ostler's initials "NO" at various signature lines  
14 throughout the document.

15 6. The Department presented a copy of this application to the consumer and asked  
16 if he can verify the signatures that appear in the application. After review of the document,  
17 the consumer stated that the signature that appears in the application is not his signature and  
18 affirmed that he never authorized Ostler to sign the application on his behalf.

19 7. On or about October 15, 2020, the consumer notified the Department that in  
20 June 2020, Americo fully refunded his premium.

21 8. On or about May 11, 2021, the Department conducted a virtual conference  
22 with Ostler. During this conference, Ostler acknowledged that the consumer only requested

1 a quote for a life insurance policy. Ostler initially claimed that consumer signed the  
2 application but later admitted that he signed the consumer's initials on the application  
3 without consumer's consent.

4 9. During the interview, it was also revealed that Ostler's address of record with  
5 the Department is incorrect and that he has resided in Phoenix, Arizona since November  
6 2020.

7 **CONCLUSIONS OF LAW**

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

9 11. 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 12. Respondent's conduct, as described above, constitutes forging another's name  
12 to any document related to insurance transaction, in violation of A.R.S. § 20-295(A)(10).

13 13. Respondent's conduct, as described above, constitutes a nonresident who is a  
14 licensed insurance producer in another state, who becomes a resident of this state and  
15 continues to act as an insurance producer shall apply for a resident insurance producer  
16 license within ninety (90) days, within the meaning of A.R.S. § 20-285(F).

17 14. Respondent's conduct, as described above, constitutes failure to inform the  
18 Director within thirty (30) days of any change in the licensee's: residential, business or email  
19 address, within the meaning of A.R.S. § 20-286(C)(1).

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

22 16. Grounds exist, in addition to or instead of any suspension or revocation, for the

1 Director to impose a civil penalty of not more than \$250.00 for each unintentional failure or  
2 violation up to an aggregate civil penalty of \$2,500.00, or impose a civil penalty of not more  
3 than \$2,500.00 for each intentional failure or violation, up to an aggregate civil penalty of  
4 \$15,000.00.

5 **ORDER**

6 IT IS HEREBY ORDERED THAT:

7 **Nicholas Christian Ostler** shall immediately pay a civil penalty of seven hundred  
8 fifty dollars (\$750).

9 Effective this 3rd day of January, 2022.

10 

11 \_\_\_\_\_  
12 Evan G. Daniels, Director  
13 Arizona Department of Insurance and Financial Institutions

13 **CONSENT TO ORDER**

- 14 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law  
15 and Order.
- 16 2. Respondent admits to the jurisdiction of the Director of the Arizona  
17 Department of Insurance and Financial Institutions and admits the foregoing Findings of Fact  
18 and consent to the entry of the foregoing Conclusions of Law and Order.
- 19 3. Respondent is aware of his right to notice and to a hearing, at which he may be  
20 represented by counsel, present evidence and examine witnesses.
- 21 4. Respondent irrevocably waives his right to such notice and hearing and to any  
22 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.

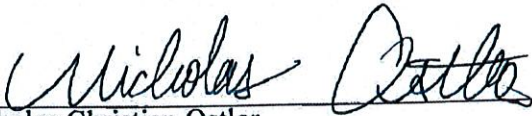
4           6.     Respondent acknowledges and agrees that the acceptance of this Consent  
5 Order by the Director is solely to settle this matter and does not preclude the Department  
6 from instituting other proceedings as may be appropriate now or in the future. Furthermore,  
7 and notwithstanding 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 the  
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 the 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  
3 7/8/21  
Date

  
\_\_\_\_\_  
Nicholas Christian Ostler  
(NPN License No. 19639855)

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6  
7  
8  
9  
10 **COPY** of the foregoing delivered by E-mail  
this 4th day of January, 2021, to:

11 Nicholas Christian. Ostler  
12 4150 S Hualapai Way, Unit 1023  
13 Las Vegas, NV 89147  
14 nicholascostler@gmail.com  
Respondent

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

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

21   
22 Francine Juarez