

STATE OF ARIZONA
Department of Insurance and Financial Institutions
FILED November 7, 2023 by AS

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of Unlicensed Activity of:

COLOMA, CARMEN YESENIA

and

COLOMA & ASSOCIATES LLC

Respondents.

No. 23A- 078 -INS

ORDER TO CEASE AND DESIST

The Arizona Department of Insurance and Financial Institutions (“Department”) received evidence that Carmen Yesenia Coloma (“Coloma”) and Coloma & Associates LLC (“Coloma & Associates”), collectively Respondents, has unlawfully engaged in transacting of insurance business in the state of Arizona. Accordingly, the Director of the Department (“Director”) makes the following Findings of Fact and Conclusions of Law and enters the following Order pursuant to A.R.S. § 20-292.

FINDINGS OF FACT

1. Coloma is an Arizona resident previously licensed with the Department as an insurance producer under the national producer license number 6748740.

2. Coloma & Associates is an Arizona domiciled entity previously licensed with the Department as an insurance producer under the national producer license number 17882342.

1 3. On or about October 25, 2021, the Department issued a Consent Order against
2 Respondents revoking their Arizona insurance producer licenses due to, among other
3 reasons, improperly withholding and misappropriating monies and fraudulent and dishonest
4 practice.

5 4. On or about October 18, 2023, CJA Finance, Inc. dba PFG Funding, a vehicle
6 financing company, filed a complaint with the Department alleging that Coloma “is still
7 currently writing her own policy’s [sic] under a[n] inactive license” and provided them with
8 a Progressive Insurance ID Card showing Coloma & Associates as the insurance agent of
9 record.

10 5. The Department commenced an investigation into this matter. The
11 Department’s investigation concluded that Respondents continued to bind insurance policies
12 after their licenses were revoked.

13 6. Following the revocation of their licenses on October 25, 2021, Respondents
14 were appointed or continued to be appointed by Progressive Preferred Insurance Co.

15 7. From October 25, 2023 to October 19, 2023, Respondents bound at least five
16 (5) vehicle insurance policies with Progressive Preferred Insurance Co. without obtaining a
17 licensing after revocation. Documents show that Coloma is listed as the insurance agent on
18 policies that were written after her license was revoked.

19 8. Progressive Preferred Insurance Co. terminated Respondents’ appointments
20 upon learning of Respondents’ license revocations.

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CONCLUSIONS OF LAW

9. The Director has jurisdiction over this matter.

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

11. Respondents' conduct, as described above, constitutes the sale, solicitation or negotiation of insurance in Arizona without the authority to do so. A.R.S. § 20-282.

12. Respondents are not exempt from the licensure requirements. A.R.S. § 20-283.

13. The Department is authorized to order Respondents to cease and desist from engaging in further violations of Arizona law. A.R.S. § 20-292.

ORDER

IT IS HEREBY ORDERED THAT:

14. Respondents shall immediately cease and desist from selling, soliciting or negotiating insurance in Arizona.

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NOTICE OF OPPORTUNITY FOR HEARING

Pursuant to Title 20 of the Arizona Revised Statutes, Respondent is hereby notified that it may request a hearing pursuant to A.R.S. § 20-161 to contest the order to cease and desist. Such a request must be in writing and received at the following address within thirty (30) days from the date hereof:

Arizona Department of Insurance and Financial Institutions
Attn: Gio Espinosa, Regulatory Legal Affairs Officer
100 North 15th Avenue, Suite 261
Phoenix, Arizona 85007-2630

Upon receipt of a timely written request for hearing, the Department will issue an order setting the time and place of the hearing.

Effective this 7th day of November, 2023.

Barbara D. Richardson
Barbara D. Richardson
Cabinet Executive Officer
Executive Deputy Director
Arizona Department of Insurance and Financial Institutions

1 **COPY** of the foregoing mailed by First Class and Certified Mail,
Delivery Receipt requested,
2 this 8th day of November 2023, to:

3 Carmen Yesenia Coloma
Coloma & Associates LLC
4 4150 West Norther Avenue, Ste. 105
Phoenix, AZ 85051

5 Respondents 9489 0090 0027 6486 6593 94

6 Carmen Yesenia Coloma
Coloma & Associates LLC
7 15316 West Roma Avenue
Goodyear, AZ 85395

8 Respondents 9489 0090 0027 6486 6593 87

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

10 Deian Ousounov, Assistant Director
Gio Espinosa, Regulatory Legal Affairs Officer
11 Ana Starcevic, Paralegal Project Specialist
Catherine O'Neil, Consumer Legal Affairs Officer
12 Steven Fromholtz, Licensing Manager
Aqueelah Currie, Licensing Supervisor
13 Linda Lutz, Legal Assistant
Wendy Greenwood, Investigation Supervisor
14 Arizona Department of Insurance and Financial Institutions
100 North 15th Avenue, Suite 261
15 Phoenix, Arizona 85007-2630

16 Carmen Yesenia Coloma
yclaytoninsuance@msn.com
17 Respondent

18 Ana Starcevic

19 Additional Address:
20 Carmen Yesenia Coloma
3438 W Mandalay Ln.
21 Phoenix, Arizona 85053 *AS*

22 9489 0090 0027 6486 6593 70