

1 intoxicated, in Scottsdale. Petitioner is currently on Adult
2 Probation for these offenses.

3 5. Petitioner was granted a conditional insurance
4 license as a property and casualty agent in the State of
5 Arizona, license number 14421. This license expires August 31,
6 1994.

7 6. After further investigation, the Department
8 learned Petitioner failed to disclose several other arrests and
9 convictions on his license application.

10 7. On or about May 17, 1983, Petitioner was arrested
11 in Phoenix, Arizona for trespassing, a misdemeanor. Petitioner
12 was convicted and ordered to serve one (1) day incarceration.

13 8. On or about October 26, 1985, Petitioner was
14 arrested in Scottsdale, Arizona for firing a weapon within city
15 limits, a misdemeanor. Petitioner was convicted and fined
16 \$40.00.

17 9. On or about January 11, 1986, Petitioner was
18 arrested in Phoenix, Arizona for driving while intoxicated.

19 10. On or about April 1, 1986, Petitioner was
20 convicted in Phoenix, Arizona of driving while intoxicated and
21 fined.

22 11. On or about January 6, 1987, Petitioner was
23 arrested in Mesa, Arizona for assault.

24 12. On or about September 29, 1987, Petitioner was
25 rebooked for aggravated assault involving a weapon.

26 13. On or about March 1, 1988, Petitioner was
27 convicted in CR87-09134, of endangerment based on the assault
28 arrests, a class 6, undesignated offense. Petitioner was

1 ordered to serve 30 days in jail and placed on supervised
2 probation.

3 14. On or about April 2, 1992, Petitioner was arrested
4 in Tempe, Arizona for facilitation to commit forgery, a class 1
5 misdemeanor.

6 15. On or about August 13, 1993, Petitioner was
7 convicted in Maricopa County Superior Court, State v. Philip
8 Terry Baker, No. CR92-03191, of facilitation to commit
9 forgery, a class 1 misdemeanor. Petitioner was incarcerated in
10 the Maricopa County Jail for six (6) months, ordered to pay a
11 mandatory assessment fee of \$33.00 and placed on 3 years
12 probation.

13 16. On or about September 13, 1993, Petitioner was
14 advised by letter of the revocation of his conditional insurance
15 agent's license and the denial of his application for a property
16 and casualty agent's license.

17 17. On or about October 1, 1993, Petitioner requested
18 a hearing based on said denial.

19 CONCLUSIONS OF LAW

20 1. The Director has jurisdiction in this matter
21 pursuant to A.R.S. §20-142.

22 2. Notice of this hearing was proper pursuant to
23 A.R.S. §§20-163 and 41-1061.

24 3. Petitioner made material misrepresentations in the
25 application for, or attempt to obtain, an insurance license, in
26 violation of A.R.S. §20-290(B)(1).

27 4. Petitioner has a record of dishonesty in business
28 or financial matters, in violation of A.R.S. §20-290(B)(2).

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5. Petitioner wilfully misrepresented facts required to be disclosed in an application, in violation of A.R.S. §20-291(G).

6. Grounds exist to deny Petitioner's insurance license application pursuant to A.R.S. §§20-290(B)(1), 20-290(B)(2) and 20-291(G)!

ORDER

NOW, THEREFORE, IT IS ORDERED:

Revoking Petitioner's conditional license and denying Petitioner's application for a property and casualty insurance agent's license.

The aggrieved party may request a rehearing with respect to this Order by filing a written petition with the Hearing Officer within 30 days of the date of this Order, setting forth the basis for such relief pursuant to A.A.C. R4-14-114(B).

DATED this 17th day of November, 1993.



SUSAN GALLINGER
Director of Insurance



KATRINA ROGERS
Chief Hearing Officer

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COPY of the foregoing mailed/delivered
this 17th day of November, 1993, to:

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Jay Rubin, Assistant Director
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