

STATE OF ARIZONA  
FILED

FEB 11 1997

DEPT. OF INSURANCE  
BY Kate

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

In the Matter of:	)	Docket No. 96A-233-INS
	)	
JUDY C. MAYA,	)	<b>ORDER</b>
	)	
Petitioner.	)	
_____	)	

On January 14, 1997, the Office of Administrative Hearings, through Administrative Law Judge Allen W. Reed, submitted "Recommended Decision of Administrative Law Judge" ("Recommended Decision"), a copy of which is attached and incorporated by this reference. The Director of the Arizona Department of Insurance has reviewed the Recommended Decision and enters the following order:

1. The findings of fact and conclusions of law are adopted.
2. The application for a life and disability agent license submitted by Judy C. Maya on September 16, 1996 shall be granted.

NOTIFICATION OF RIGHTS


The aggrieved party may request a rehearing with respect to this Order by filing a written petition with the Office of Administrative Hearings within 30 days of the date of this Order, setting forth the basis for such relief pursuant to A.A.C. R20-6-114(B).

.....

.....

1 The final decision of the Director may be appealed to the Superior Court of Maricopa  
2 County for judicial review pursuant to A.R.S. § 20-166.

3 EFFECTIVE this 11<sup>th</sup> day of February, 1997

4  
5   
6 John A. Greene  
7 Director of Insurance

8 A copy of the foregoing mailed  
9 this 11<sup>th</sup> day of February, 1997

10 Charles R. Cohen, Deputy Director  
11 John Gagne, Assistant Director  
12 Catherine O'Neil, Assistant Director  
13 Scott Greenberg, Business Administrator  
14 Maureen Catalioto, Supervisor  
15 Department of Insurance  
16 2910 N. 44th Street, Suite 210  
17 Phoenix, AZ 85018

18 Office of Administrative Hearings  
19 1700 West Washington, Suite 602  
20 Phoenix, AZ 85007

21 Michael J. De La Cruz  
22 Assistant Attorney General  
23 1275 West Washington  
Phoenix, AZ 85012

Judy C. Maya  
16801 N. 49th Street, #127  
Scottsdale, AZ 85254



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IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

No. 96A-233-INS

**JUDY C. MAYA,**

Petitioner.

**RECOMMENDED DECISION  
OF ADMINISTRATIVE  
LAW JUDGE**

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**HEARING:** January 10, 1997

**APPEARANCES:**

Judy Maya, Applicant, in her own behalf

Michael De La Cruz, Assistant Attorney General, on behalf of the State

**ADMINISTRATIVE LAW JUDGE:** Allen W. Reed

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**FINDINGS OF FACT**

1. On September 18, 1996, Judy Maya (Applicant) submitted an Application for an Individual Insurance License (life and disability) to the Arizona Department of Insurance (Department).

2. The Applicant responded "yes" to the question of whether she had ever been convicted of a felony. She listed a Perjury conviction in New Hampshire in 1984. The conviction was a result of her testimony at a Burglary trial of her son. The Applicant had testified that a ring which her son was accused of stealing was one which she recognized as belonging to her son prior to the burglary. The Applicant's son was convicted and the Applicant was charged with and convicted of perjury regarding the above testimony, Case No. 84-S-153F, Merrimack County Superior Court. She was sentenced to one year with all but seven days suspended. She was released after serving four days. Aside from this, the Applicant has had one speeding violation in 1990.

1           3. Prior to moving to New Hampshire, the Applicant lived in California and was  
2 a licensed Animal Health Technician. After her release from the four-day incarceration  
3 in New Hampshire, the Applicant worked for the Newport, New Hampshire School  
4 District as a secretary to the vice principal and was also responsible for attendance  
5 security until June of 1985. Applicant and her family moved to Palm Springs, California  
6 in 1985 where she worked for Air Tech, Inc. and Lake Services (heating and air  
7 conditioning companies) as a bookkeeper, secretary and office manager until 1990.  
8 During this employment, the Applicant met Fred Gothelf (Gothelf), a Certified Public  
9 Accountant who did the accounting for these businesses. The Applicant was  
10 responsible for accounts receivable and payable, making bank deposits and handling  
11 unspecified amounts of cash. She also handled personal financial matters for her  
12 employer, Robert Diller. From 1990 to 1993, the Applicant worked for a restaurant in  
13 Palm Springs as an executive secretary and performed similar business functions. The  
14 Applicant and her family moved to Oregon in 1993 due to economic reasons. She had  
15 difficulty finding a job but worked at Anders Electric in 1994 for approximately four  
16 months before being laid off as part of downsizing. The Applicant's husband was also  
17 unemployed due to the closure of the store he was managing. The family moved to the  
18 Phoenix area and she attended The Bryman School taking classes to become a  
19 Practical Technician in radiology. She was unable to complete certain requirements  
20 because of personal medical concerns. The Applicant worked for Dr. David Perrine and  
21 Dr. Michael McCartney as an Office Manager from approximately September 1994 to  
22 May 1996. The Applicant left this job to prepare for and take her insurance  
23 examination.

24           4. The Applicant has a potential employment opportunity with The Horace  
25 Mann Companies contingent on her being licensed. She has also been in contact with  
26 Penn Mutual. Both of these companies and prior employers were informed of the felony  
27 conviction, by the Applicant.

28           5. The Department denied the Application on October 16, 1996, because of the  
29 prior felony conviction.



RECOMMENDATION

Under the facts and circumstances of this case, including but not limited to the duration of time that has elapsed since the Applicant's conviction and the Applicant's conduct since that conviction, the undersigned Administrative Law Judge recommends that the application for an individual life and disability agent license submitted to the Department by Judy Carrol Maya on September 16, 1996 be granted.

Done this day, January 14, 1997.

\_\_\_\_\_  
ALLEN W. REED  
Administrative Law Judge

Original transmitted by mail this  
\_\_\_\_ day of January, 1997, to:

Charles R. Cohen, Acting Director  
ATTN: Curvey Burton  
Department of Insurance  
2910 North 44th Street, #210  
Phoenix, AZ 85018-7256

By \_\_\_\_\_