

BEFORE THE STATE OF WASHINGTON  
OFFICE OF INSURANCE COMMISSIONER

**FILED**

2016 SEP 12 A 9:28

In the Matter of:

Amandeep Cheema,

Applicant.

Docket No. 16-0216

**NOTICE OF HEARING**

HEARINGS UNIT  
OFFICE OF  
INSURANCE COMMISSIONER

**TO:** Amandeep Cheema  
c/o Steve Chance  
Attorney at Law  
119 N. Commercial Street, #175  
Bellingham, WA 98225

**COPY TO:** Mike Kreidler, Insurance Commissioner  
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner  
Doug Hamje, Deputy Commissioner, Consumer Protection Division  
Jeff Baughman, Licensing Manager, Consumer Protection Division  
AnnaLisa Gellermann, Deputy Commissioner, Legal Affairs Division  
Drew Stillman, Insurance Enforcement Specialist, Legal Affairs Division  
Office of the Insurance Commissioner  
PO Box 40255  
Olympia, WA 98504-0255

This Notice is provided pursuant to RCW 48.04.010 and RCW 34.05.434.

On July 26, 2016, Cheryl Penn ("Penn"), Producer Licensing and Oversight Compliance Supervisor at the Office of Insurance Commissioner ("OIC"), sent e-mail correspondence to Amandeep Cheema ("Cheema"), denying her application for an insurance producer license. In the correspondence, Penn alleges that Cheema admitted to investigators at the OIC that her husband assisted her by providing answers to producer licensing test questions, and cites RCW 48.17.530(1)(c) as the basis for the OIC denying Cheema's application for a producer's license.

In correspondence dated August 10, 2016, Cheema demands a hearing to contest the OIC's denial of her license application, and argues that she did not obtain her license through misrepresentation or fraud. In that same correspondence, Cheema alleges:

- That responses she gave to OIC investigators were misunderstood;
- The denial of her application for a producer's license is harmful for her family's future; and
- The OIC's delay in issuing her such a license is causing her family a financial loss.

On September 8, 2016, the undersigned held a first prehearing conference. Drew Stillman, Insurance Enforcement Specialist of the OIC's Legal Affairs Division, appeared on behalf of the OIC. Attorney Steve Chance represented Cheema.

After considering the views of the Parties, I enter the following Order:

At the prehearing conference the OIC requested that it be allowed to amend the legal bases of its denial of Cheema's application for an insurance producer's license. Specifically, the OIC would like to supplement the reasons for the denial in Penn's July 26, 2016, correspondence with additional reasons and statutory bases for the denial. The OIC proposes that these supplemental bases for the denial also be considered in the instant matter, and ultimately be ruled upon by the undersigned. Cheema objects to the OIC's attempts to supplement its rationale for denying Cheema's application. Given this disagreement, the undersigned has requested briefing on this issue before he enters a decision on the OIC's request. Therefore, briefing regarding this issue has been scheduled as follows: By September 16, 2016, the OIC shall file and serve its motion to amend its July 26, 2016 denial of Cheema's application for an insurance producer's license. By September 23, 2016, Cheema shall file and serve her response to the OIC's motion. By September 30, 2016, the OIC shall file and serve its reply to Cheema's response. My ruling will be issued without oral argument as soon as possible thereafter.

By October 14, 2016, the parties shall serve and file dispositive Motions. By October 28, 2016, the parties shall serve and file Responses to such Motions. By November 4, 2016, the parties shall serve and file Replies to such Responses. I expect to rule without oral argument as soon as possible after briefing is complete.

**Assuming this matter is not resolved based upon the dispositive Motions, a hearing will be held at the Office of the Insurance Commissioner, 5000 Capitol Blvd., Tumwater, WA, beginning on December 2, 2016, at 10:00 a.m., Pacific Standard Time.** The hearing is expected to require less than one day, but will continue until completed. The purpose of the hearing at this juncture, prior to any decision on the OIC's motion to amend discussed above, is to consider whether the OIC's denial of Cheema's producer license application per RCW 48.17.530(1)(c) was correct. The purpose of the hearing may involve consideration of additional issues identified in my ruling on the OIC's motion to amend.

By November 18, 2016, the parties shall exchange copies of witness and exhibit lists, briefs and any other documents they expect to offer into evidence at the evidentiary hearing. Any witness and exhibit lists, briefs and documents so provided should also be provided to the Hearings Unit at the address below.

The hearing will be governed by the Administrative Procedure Act, Chapter 34.05 RCW, and the model rules of procedure contained in Chapter 10-08 WAC. All parties may be represented and may examine witnesses, respond, and present evidence and argument on all relevant issues.

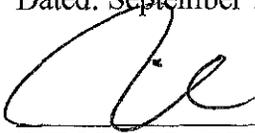
A party who fails to attend or participate in the hearing or another stage of this proceeding may be held in default in accordance with Chapter 34.05 RCW. *See*, RCW 34.05.434(2)(i).

William Pardee, Presiding Officer, has been designated by the Insurance Commissioner to hear and determine this matter. The hearing will be held under the authority granted by the Insurance Commissioner per Chapter 48.04 RCW.

Pursuant to WAC 284-02-070(1)(c), accommodation will be made for persons needing assistance due to difficulty with language or disability. Further, pursuant to WAC 10-08-040(2) and in accordance with Ch. 2.42 RCW, if a limited English speaking or hearing impaired or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness therefore, except as may be provided by Ch. 2.42 RCW. A Request for Accommodation form, with instructions, is attached to the original of this Notice.

All case related documents and correspondence shall be directed to the Hearings Unit, Office of Insurance Commissioner, P.O. Box 40255, Olympia, Washington 98504-0255. All interested individuals and entities who have questions or concerns concerning this proceeding should direct them to the Hearings Unit paralegal, Dorothy Seabourne-Taylor, at the same address. Ms. Seabourne-Taylor's telephone number is (360) 725-7002.

Dated: September 12, 2016



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WILLIAM PARDEE  
Presiding Officer

CERTIFICATE OF SERVICE

The undersigned certifies under the penalty of perjury under the laws of the state of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be filed and served the foregoing Notice of Hearing on the following people at their addresses listed below:

Amandeep Cheema  
c/o Steve Chance  
Attorney at Law  
119 N. Commercial Street, #175  
Bellingham, WA 98225

Mike Kreidler, Insurance Commissioner  
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner  
Doug Hamje, Deputy Commissioner, Consumer Protection Division  
Jeff Baughman, Licensing Manager, Consumer Protection Division  
AnnaLisa Gellermann, Deputy Commissioner, Legal Affairs Division  
Drew Stillman, Insurance Enforcement Specialist, Legal Affairs Division  
Office of the Insurance Commissioner  
PO Box 40255  
Olympia, WA 98504-0255

Dated this 12<sup>th</sup> day of September, 2016, in Tumwater, Washington.

  
Dorothy Seabourne-Taylor  
Paralegal  
Hearings Unit

**OFFICE OF INSURANCE COMMISSIONER**  
**HEARINGS UNIT**  
Fax: (360) 664-2782

To request an interpreter, complete and mail this form to:

Presiding Officer  
Hearings Unit  
Office of Insurance Commissioner  
P.O. Box 40255  
Olympia, WA 98504-0255

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**REQUEST FOR ACCOMMODATION FOR LANGUAGE OR DISABILITY**

I am a party in Matter No. 16-0216 before the Insurance Commissioner.

I request accommodation for the following disability (insert your disability):

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I request an interpreter for myself or a witness who will be testifying at the evidentiary hearing.

Please check the statements that apply:

I am a non-English-speaking person and cannot readily speak or understand the English language. My primary language is \_\_\_\_\_ (insert your primary language). I need an interpreter who can translate to and from the primary language and English.

I am unable to readily understand or communicate the spoken English language because:

- I am deaf.
- I have an impairment of hearing.
- I have an impairment of speech.

[Please state below or on the reverse side any details which would assist the Commissioner or Presiding Officer in arranging for a suitable accommodation for your disability, an interpreter or in providing appropriate mechanical or electronic amplification, viewing, or communication equipment.]

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Please print or type your name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_