MIKE KREIDLER
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON

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2011 SEP 26 A 11: 25

OFFICE OF
INSURANCE COMMISSIONER
HEARINGS UNIT
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Hearings Unit, OIC
Patricia D. Petersen
Chief Hearing Officer

Patricia D. Petersen
Chief Hearing Officer
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Paralegal
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KellyC@oic.wa.gov.

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:	)	
	)	No. 11-0030
RICHARD M. NOBLE,	)	
	)	ORDER TERMINATING
Licensee.	)	PROCEEDINGS
	)	

TO: Richard M. Noble
1101 17th Street NW
Puyallup, WA 98371

COPY TO: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
Carol Sureau, Deputy Commissioner, Legal Affairs Division
Andrea L. Philhower, Staff Attorney, Legal Affairs Division
John F. Hamje, Deputy Commissioner, Consumer Protection Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

On February 8, 2011, the Insurance Commissioner ("Commissioner") received a letter from Richard M. Noble, requesting a hearing to contest the Commissioner's November 16, 2010 denial of his application for an insurance producer's license. On March 2, 2011, the undersigned held a first prehearing conference at which Mr. Noble appeared pro se and the Commissioner appeared by and through Andrea L. Philhower, Esq., Staff Attorney in the Commissioner's Legal Affairs Division. The parties agreed to schedule a hearing to commence on April 8, 2011, at 10 a.m. and it was so ordered by the

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undersigned. Prior to the hearing date, the parties negotiated terms of a settlement wherein Mr. Noble agreed to withdraw his challenge of the Commissioner's denial of his application for an insurance producer's license, and the parties agreed that should Mr. Noble choose to apply for an insurance producer's license in the future then the OIC will issue him a probationary Washington resident insurance producer license if he is able to obtain a licensed insurance producer mentor who will sign a consent order along with Mr. Noble binding that mentor to monitor Mr. Noble's professional activities, along with other conditions to be included in the future consent order which are set forth in the summary of settlement terms provided by the Commissioner. Said summary of settlement terms, and Mr. Noble's statement withdrawing his request for hearing based upon the parties' settlement of the matter, are attached hereto and by this reference made a part hereof.

Based upon the above activity,

IT IS HEREBY ORDERED that this proceeding, Docket No. 11-0030, is hereby dismissed with prejudice.

Entered this 26th day of September, 2011, at Tumwater, Washington, pursuant to Title 48 RCW, Title 34 RCW and regulations pursuant thereto.

PATRICIA D. PETERSEN
Chief Hearing Officer

Declaration of Mailing

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery through normal office mailing custom, a true copy of this document to the following people at their addresses listed above: Richard M. Noble, Mike Kreidler, Mike Watson, John F. Hamje, Carol Sureau, and Andrea L. Philhower.

DATED this 26th day of September, 2011

KELLY A. CAIRNS

Petersen, Patricia (OIC)

From: Estrada, Vicki (OIC)
Sent: Monday, May 09, 2011 12:06 PM
To: Petersen, Patricia (OIC)
Subject: FW: Noble Matter Docket Number 11-0030

Here is the information re: consent order entered into between OIC and Mr. Noble.

Vicki

From: Philhower, Andrea (OIC)
Sent: Monday, May 09, 2011 11:55 AM
To: Estrada, Vicki (OIC)
Subject: RE: Noble Matter Docket Number 11-0030

All right. The consent order into which we will enter will provide that Mr. Noble will receive a probationary Washington resident insurance producer license if he is able to obtain a licensed producer mentor who will sign a consent order along with him binding him to monitor Mr. Noble's professional activities.

Under the terms of this probationary license, for the period of this first issued license, if any administrative action is taken against any license Mr. Noble holds with any state, or if he is convicted of any criminal violation other than misdemeanor traffic violations, his Washington resident license will be revoked. The additional conditions of the probationary license to which Mr. Noble agreed will be:

- You must have an insurance producer who agrees via consent order to act as your mentor
  - Mentor must be a licensed insurance producer
  - OIC will perform a background check on the mentor to ensure that mentor has no background issues that would make him/her unsuitable, and approve the mentor if possible
  - Mentor must agree to monitor and be responsible for your professional conduct, with consequences for failure to do so
    - As licensee responsible for consumer protection as to your conduct, mentor's consequences will be as OIC deems appropriate to the circumstances, and may include fine, suspension, or revocation of license.
- You will not enter clients' / potential clients' homes or meet with them in any non-public place unless physically accompanied by mentor
  - OIC would consider allowing another licensed insurance producer to be accompanying person if requested and approved by OIC and person agrees in writing to be responsible for your conduct on same terms as mentor
- You will not meet with or ride with clients or potential clients in a private vehicle unless physically accompanied by mentor
  - OIC would consider allowing another licensed insurance producer to be accompanying person if requested and approved by OIC in advance, and person agrees in writing to be responsible for your conduct on same terms as mentor
- OIC will check with the mentor for reports on your professional conduct at approximately 6-month intervals during the probationary period
- Every 2 months, you are to provide OIC's Producer Licensing Manager with a list of each client that you have worked with during that 2-month period. OIC may contact these clients to perform spot checks in the form of consumer satisfaction interviews/surveys regarding your professional conduct.

- Should any of the conditions be breached or unmet, your license will be immediately revoked.

The probationary period is for the term of the first issued license (approximately two years, until your license is due for renewal). If all conditions of your probationary period are met, you will be eligible for an unrestricted license upon renewal.

Therefore, the consent order will not be signed until Mr. Noble has a job and a mentor. I cannot tell Judge Petersen when that will occur. Given the circumstances, it could be a while. If she wishes to hold this matter open until the consent order is signed, I will notify the Hearings Unit as soon as that happens.

Andrea

From: Estrada, Vicki (OIC)
Sent: Monday, May 09, 2011 9:49 AM
To: Philhower, Andrea (OIC)
Subject: Noble Matter Docket Number 11-0030

Ms. Philhower:

Judge Petersen has asked me to contact you to let you know that if the consent order is in settlement of this case, we need to wait for it in order to enter an order terminating the proceeding.

Thank you.

Vicki Estrada
For Hearings Unit

Cairns, Kelly (OIC)

From: Philhower, Andrea (OIC)
Sent: Tuesday, September 06, 2011 2:24 PM
To: Cairns, Kelly (OIC)
Subject: FW: Noble Matter Docket Number 11-0030

From: Richard Noble [mailto:rmnoble2@msn.com]
Sent: Friday, April 08, 2011 7:59 AM
To: OIC Hearings Unit
Cc: Baughman, Jeff (OIC); Philhower, Andrea (OIC)
Subject: RE: Noble Matter Docket Number 11-0030

This is my formal notice that I wish to withdraw my request for a hearing in Docket Number 11-0030 as OIC and myself have reached a resolution of the matter.
Thank you,
Richard Noble

Subject: Noble Matter Docket Number 11-0030
Date: Thu, 7 Apr 2011 17:17:03 -0700
From: AndreaP@OIC.WA.GOV
To: Hearings@oic.wa.gov
CC: rmnoble2@msn.com; JeffB@OIC.WA.GOV

Hearings Unit Assistants;
This email is to inform you that OIC has come to a resolution of this matter with Mr. Noble and we believe that there is no need for a hearing tomorrow (Friday, April 8, 2011). I am cc-ing Mr. Noble on this email, and have asked him to send an email to you indicating his agreement that we have resolved this matter and that he is withdrawing his hearing request.
Thank you,
Andrea Philhower