

FILED

8/31/2011

Sept 30
2011 OCT -3 A 11:02

KAC

Office of the Insurance Commissioner

Attn: Kelly Cairns

P.O. Box 40255

Olympia, WA 98504-0255

RE: No. 11-0178

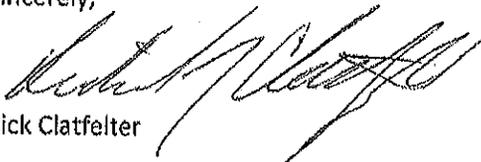
Hearing Officer
Patrick D. Polersson
Chief Hearing Officer

Dear Kelly,

I received your letter dated August 4th 2011, which stated that there is an order not to renew my license in WA. I am requesting a hearing to challenge this action of the Commissioner for the following reasons:

1. There was an understanding in place between AIS, Mr. Cooper and myself that I would use his rubber stamp signature for business that was to be put through his contract #. This allowed our agency to get a higher payout on the business written.
2. Mr. Cooper could not have been present for the applications taken, that is the very reason the stamp arrangement was made.
3. There was an assignment of commission form that supports my statements that I was to be paid the commission on the cases.
4. Although I have not been doing business in WA for the last few years I was just on the verge of requesting a renewal because I have some clients and referrals that I am planning to come up there and work with. Not being able to do this business would be a financial detriment to my family as well as a loss of service for my clients.

Sincerely,



Rick Clatfelter

24609 S. 211th PL

Queen Creek, AZ 85142



FILED

2011 SEP -1 A 9:25

OFFICE OF
INSURANCE COMMISSIONER

In The Matter of

RICK L. CLATFELTER,

Respondent.

Hearings Unit, DIC
Patricia D. Petersen
Chief Hearing Officer
NO. 11-0178

ORDER TO NOT RENEW
LICENSE

To: Rick L. Clatfelter
3115 South Price Road
Chandler, Arizona 85248

IT IS ORDERED AND YOU ARE HEREBY NOTIFIED that your Washington State insurance producer license will not be renewed and that no new Washington insurance license will be issued to you pursuant to RCW 48.17.530(1)(b), RCW 48.17.530(3), and RCW 48.30.210.

THIS ORDER IS BASED ON THE FOLLOWING:

1. Licensee Rick L. Clatfelter held a Washington resident producer license that he canceled on December 22, 2006. Mr. Clatfelter was the President of American Insurance Solutions, Inc. (AIS) in 2005, which also held a producer license that is still active. James D. Cooper also was an agent with AIS, and both he and Mr. Clatfelter were appointed by American National Insurance Company for life and disability lines. Mr. Cooper's contract with American National Insurance Company provided a higher override on sales made by him than those sales made by Mr. Clatfelter. Mr. Clatfelter is no longer affiliated with AIS, as AIS did not request that his license be renewed on May 17, 2005. In its renewal, submitted on May 7, 2007, AIS did not request that Agent James D. Cooper's life and disability license be renewed, and it expired on July 20, 2007.

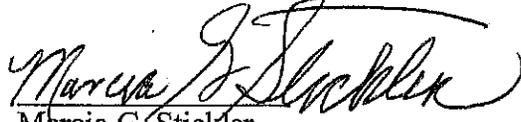
2. On or about February 18, 2005, Mr. Clatfelter completed an application with a consumer for the purchase of a Universal Life policy from American National Insurance Company. In the spaces provided for the agent's signature, Mr. Clatfelter used a rubber signature stamp bearing Mr. Cooper's name, rather than his own signature. Mr. Clatfelter thus received the commission from the sale, rather than Mr. Cooper.

3. Pursuant to RCW 48.17.530(1)(b), the Commissioner may refuse to issue or renew the license of any insurance producer for violating any insurance law or rule and pursuant

to RCW 48.30.210, the Commissioner may revoke or refuse to renew the license of any producer who knowingly makes a false or misleading statement or impersonation in or relative to an application for insurance to an insurer.

ENTERED AT TUMWATER, WASHINGTON, this 4th day of August, 2011.

MIKE KREIDLER
Insurance Commissioner

By 
Marcia G. Stickler
OIC Staff Attorney

NOTICE OF YOUR RIGHT TO A HEARING

If you are aggrieved by this Order, RCW 48.04.010 permits you to demand a hearing. Pursuant to that statute and others: You must demand a hearing, in writing, within 90 days after the date of this Order, which is the day it was mailed to you, or you will waive your right to a hearing. Your demand for a hearing must specify the reasons why you think this Order should be changed. Upon receipt of your demand for hearing, you will be contacted by an assistant of the Chief Hearing Officer to schedule a teleconference with you and the Insurance Commissioner's Office to discuss the hearing and the procedures to be followed. Please send any demand for hearing to:

Office of the Insurance Commissioner
Attention Patricia D. Petersen, Chief Hearing Officer
Hearings Unit
P.O. Box 40255
Olympia, WA 98504-0255

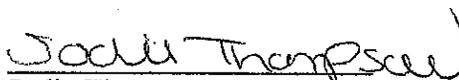
CERTIFICATE OF MAILING

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 served the foregoing ORDER TO NOT RENEW LICENSE on the following individual via US Mail.

Rick L. Clatfelter
3115 South Price Road
Chandler, Arizona 85248

SIGNED this 4th day of August, 2011, at Tumwater, Washington.


Jodie Thompson
Jodie Thompson