

Request for reconsideration  
RE: Docket No. 11-0178

FILED  
2/7/12

This letter is to request that the Findings in Fact, Conclusions of Law and Final order be reconsidered on the basis that the decision negatively effects my career and income in other states. In addition I was advised not to attain legal counsel since it was not necessary. Also, the state did not prove beyond reasonable doubt illegal activity and only cites:

## **RCW 48.30.210**

### **Misrepresentation In application for insurance.**

"A person who knowingly makes a false or misleading statement or impersonation, or who willfully fails to reveal a material fact, in or relative to an application for insurance to an insurer, is guilty of a gross misdemeanor, and the license of any such person may be revoked."

The testimony of myself and my witnesses clearly revealed that there was no false or misleading statement. Mr. Tandberg (the insured on the application in question) was well aware that the agent of record was going to be Mr. Cooper.

No impersonation was made since all parties were aware that the signature stamp of Mr. Cooper was being used for agent of record purposes.

No material facts were unrevealed to the insured nor the insurance company. Compensation is not a material fact that must be disclosed, nor is an assignment of said commissions to another agent, therefore the additional compensation earned by the agency for making Mr. Cooper the agent of record is immaterial to the situation.

In addition, I had multiple witnessed conversations with Mrs. Stickler where she said that this was all a misunderstanding and that she felt I did no wrong. She said is was only a knee jerk reaction to the fact that they had to do something to close the complaint since I was no longer even licensed in WA and the original person doing the investigation did not do his job and complete the file in a timely fashion. She felt that I did not need an attorney for the hearing. She also said that she would give me my license back if it were up to her. She said that she felt that a probationary license would be the worst action taken against me.

However at the actual hearing she took a very negative tone and outright prosecuted me accusing me and my witnesses of illegal activity. She even had to be silenced at one point by the judge to quit badgering one of my witnesses and allow him to reply to the questioning.

I feel that she misrepresented the situation to me and led me into a bait and switch whereby she attacked me and my witnesses without the benefit of legal counsel.

While I am deeply sorry that the state of WA feels that I was engaged in some sort of illegal activity, I do not agree at all. If there was anything spurious it was completely ignorance on my part. There should be no disciplinary action or anything imposed with cause.

I am appealing to you to allow me to keep my career. Most of the insurance carriers that I was appointed with to do business have canceled my contract based on "disciplinary action taken by the WAOIC". I have lost all my renewals and have lost pending cases because I have no appointments with the companies that I need to do business with. This has cost me untold thousands of dollars and an impossible to determine amount of future income for my family in the insurance business.

Changing the ruling to a \$5,000 fine is still a disciplinary action.

Please reconsider whether the apparent lack of judgment in this old case and the accusations of a deceased agent warrant me losing my career and income. That is a very steep price to pay. I have had no other incidents or complaints against me to my knowledge in any state that I have done business.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Claffelter", with a long horizontal flourish extending to the right.

Rick Claffelter