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OFFICE OF
INSURANCE COMMISSIONER 2011 DEC -7 A 11:16

HEARINGS UNIT
Fax: (360) 664-2782

Hearing Unit, DIC
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Patricia D. Petersen
Chief Hearing Officer
(360) 725-7105

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of)	Docket No. 11-0239
)	
Chad M. Verginia,)	NOTICE OF HEARING
)	
Licensee.)	
)	

TO: Chad M. Verginia
314 Avenue J #8
Snohomish, WA 98290

COPY TO: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
John F. Hamje, Deputy Commissioner, Consumer Protection Division
Jeff Baughman, Licensing Manager, Consumer Protection Division
Charles Brown, Sr. Staff Attorney, Legal Affairs Division
Carol Sureau, Deputy Commissioner, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

On October 18, 2011, the Insurance Commissioner (OIC) issued an Order Revoking License No. 11-0239, ordering that the Washington insurance producer's license issued to Chad M. Verginia ("Licensee") be revoked, effective November 7, 2011. The OIC's Order was based upon the OIC's assertion, briefly, that Licensee made a false representation on his application for an insurance producer's license when he answered "no" to the question regarding criminal history. According to the OIC, the results of a law enforcement criminal background check received by the OIC after the license was issued indicated Licensee had two convictions on his criminal record, even though Licensee had indicated on his application that he had never been convicted of a crime.



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On November 3, 2011, Licensee filed a Demand for Hearing to contest the OIC's Order. The basis of Licensee's appeal is that he never intended to mislead the OIC or falsely represent himself on the application, but rather, in his haste and excitement over starting his career as an insurance producer, must have misread the question, in particular the part of the question asking the applicant to leave out certain convictions and to include certain convictions.

On November 30, 2011, the undersigned held a first prehearing conference in this matter, which included all parties. The OIC was represented by Charles Brown, Esq., Senior Staff Attorney in the OIC's Legal Affairs Division. Licensee appeared pro se. The undersigned reviewed procedure to be expected at hearing and answered all questions and concerns of the parties. The parties agreed that this hearing should be held on December 15, 2011. Of significance, the undersigned advised the parties that, pursuant to RCW 48.04, the OIC's Order Revoking License is automatically stayed pending issuance of the final order after hearing herein.

Accordingly, **YOU ARE HEREBY NOTIFIED that a hearing will be held commencing on Thursday, December 15, 2011, at 10:00 a.m. Pacific Standard Time.** The purpose of this hearing, which will include all parties, is to consider whether the Order Revoking License issued against Chad M. Verginia should be upheld, or set aside, or modified in some way such as the imposition of a suspension of his insurance producer's license and/or a monetary penalty in lieu of revocation.

The OIC will appear by and through Charles Brown, Senior Staff Attorney in the Legal Affairs Division. Mr. Brown's address is Office of the Insurance Commissioner, Legal Affairs Division, P.O. Box 40255, Olympia, WA 98504-0255 and his telephone number is (360) 725-7044. Mr. Verginia will appear pro se, although he is advised that he may retain an attorney to represent him at any time. His address is 314 Avenue J #8 and his telephone number is (425) 622-5320.

Patricia D. Petersen, Esq., Presiding Officer, who serves as Chief Hearing Officer for the Office of the Insurance Commissioner, has been designated to hear and determine this matter. Her address is Office of Insurance Commissioner, P.O. Box 40255, Olympia, Washington 98504-0255. Her telephone number is (360) 725-7105. All interested individuals and entities who have questions or concerns concerning this proceeding should direct them to her paralegal, Kelly Cairns, at the same address. Ms. Cairns' telephone number is (360) 725-7002.

The hearing will be held under the authority granted by the Insurance Commissioner under Chapter 48.04 RCW. The basic facts relied upon are those set forth above, which are more specifically included in the OIC's above referenced Order Revoking License and in Mr. Verginia's above-referenced Demand for Hearing.

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 at the hearing. They may examine witnesses and fully respond and present evidence and argument on all issues involved.

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As required by RCW 34.05.434(2)(i), you are advised that a party who fails to attend or participate in any stage of the proceeding may be held in default in accordance with Chapter 34.05 RCW.

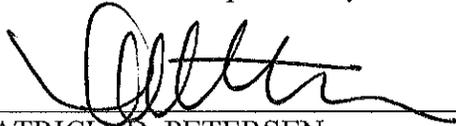
Pursuant to WAC 10-08-040(2) and in accordance with ch. 2.42 RCW, if a limited English speaking or hearing impaired or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness therefore, except as may be provided by ch. 2.42 RCW. A Request for Interpreter form is attached to the original of this Notice, with instructions thereon.

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

Based upon the above activity,

IT IS HEREBY ORDERED that the adjudicative proceeding in this matter shall commence on December 15, 2011, at 10:00 a.m. Pacific Standard Time in the Office of the Insurance Commissioner, 5000 Capitol Blvd., Tumwater, WA.

ENTERED AT TUMWATER, WASHINGTON, this 7th day of December, 2011, pursuant to Title 48 RCW and specifically RCW 48.04 and Title 34 RCW and regulations applicable thereto.



PATRICIA D. PETERSEN
Presiding 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: Chad M. Verginia, Mike Kreidler, Michael G. Watson, John F. Hamje, Esq., Jeff Baughman, Charles Brown, Esq., and Carol Sureau, Esq.,

DATED this 7th day of December, 2011.



KELLY A. CAIRNS

HEARINGS UNIT
Fax: (360) 664-2782

Patricia D. Petersen
Chief Hearing Officer
(360) 725-7105

Hearings Unit
Paralegal
(360) 725-7002
Hearings@oic.wa.gov

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

Chief Hearing Officer
Office of Insurance Commissioner
P.O. Box 40255
Olympia, WA 98504-0255

REQUEST FOR INTERPRETER

I am a party or witness in Matter No. 11-0239, before the Insurance Commissioner. I NEED AN INTERPRETER and request that one be furnished.

Please check the statements that apply to you:

I am a non-English-speaking person. I 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 interpreter or in providing appropriate mechanical or electronic amplification, viewing, or communication equipment.]

Date: _____

Signed: _____

Please print or type your name: _____

Address: _____

Telephone: _____