Cairns, Kelly (OIC)

FILED

2011 DEC 19 P 2:19

From: Stickler, Marcia (OIC)
Sent: Monday, December 19, 2011 8:16 AM
To: Cairns, Kelly (OIC)
Cc: Petersen, Patricia (OIC)
Subject: FW: Consent Order

Ms. Bocanegra, aka Ms. Stevens, is requesting a hearing. I will bring down what I have in the file. Thanks, Kelly

Patricia J. Petersen
Chief Hearing Officer

-----Original Message-----
From: Cristen Stevens [mailto:cristen_jb23@yahoo.com]
Sent: Saturday, December 17, 2011 11:57 AM
To: Stickler, Marcia (OIC)
Subject: Re: Consent Order

Hi Marcia,
I am writing in regards to the consent order. As is my right, I am.requesting a hearing.to explain the circumstances of my violation. I feel that further explanation is needed and I would like to explain the issue in person. As for the fine, I would like to request a reduction/dismissal because due to my current personal situation I simply cannot afford it. I look forward to your reply. Have a wonderful day.
Cristen Bocanegra
Sent from Samsung mobile

"Stickler, Marcia (OIC)" <MarciaS@OIC.WA.GOV> wrote:

>Hi, Ms. Stevens. I didn't hear from you yesterday, but I'd like to
>know what your plans are vi-a-vis the Order. I will re-present this
>matter to the Producer Enforcement Group on December 28, 2011 for a
>decision on a second course of action if I do not hear from you and
>conclude the matter of the Consent Order and the $1,000 fine. Thanks.
>

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON

OFFICE OF
INSURANCE COMMISSIONER

Phone: (360) 725-7000
www.insurance.wa.gov

November 2, 2011

Cristen J. Bocanegra
1721 Maple Street
Everett, WA 98201

RE: Christen J. Bocanegra
Proposed Consent Order No. 11-0256

Dear Ms. Bocanegra:

Enclosed are two originals of Washington State Office of Insurance Commissioner's Consent Order Imposing a Fine. This Order will result in your Company being required to pay a fine in lieu of other action relative to its License as a Producer.

Please sign and return both of the original Orders by December 2, 2011. Upon receipt, the Orders will be signed by me, entered with our office, and one of the executed originals will be returned to you for your records. You will then have 30 days in which to pay the fine. If you wish to include payment with the Orders, please make your check payable to the Office of the Insurance Commissioner and mail to Delia Zebroski, Fiscal Analyst, Operations Division, PO Box 40255, Olympia, Washington 98504-0255 or deliver to 5000 Capitol Blvd., Tumwater, WA 98501.

Should you have any questions regarding this matter, please feel free to contact me at (360) 725-7048.

Sincerely,

Marcia G. Stickler, Staff Attorney
Legal Affairs Division

Enclosures

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON

OFFICE OF
INSURANCE COMMISSIONER

Phone: (360) 725-7000
www.insurance.wa.gov

IN THE MATTER OF	ORDER NO. 11-0256
CRISTEN J. BOCANEGRA, Respondent.	CONSENT ORDER LEVYING A FINE

The Insurance Commissioner of the State of Washington, pursuant to the authority set forth in RCW 48.17.560, having reviewed the official records and files of the Office of the Insurance Commissioner ("OIC"), makes the following:

FINDINGS OF FACT:

1. Cristen J. Bocanegra ("Ms. Bocanegra") is a licensed resident insurance producer, first licensed in January, 2007.

2. Ms. Bocanegra began employment with Allstate agent Andrew Collup in March 2008. Ms. Bocanegra was not appointed by several Allstate companies until 2010. In 2008, Mr. Collup instructed Ms. Bocanegra to contact Allstate customers and offer them flood insurance. Ms. Bocanegra was not affiliated with Mr. Collup's agency.

3. The only training Ms. Bocanegra received in regard to flood insurance was informal instruction from Mr. Collup and viewing the NFIP website. Ms. Bocanegra used Mr. Collup's identification and password to submit flood insurance applications, at his instruction and with his permission. Ultimately, Ms. Bocanegra submitted 32 flood insurance applications in December 2008.

CONCLUSIONS OF LAW:

1. By failing to complete the minimum training requirements of section 207 of the Flood Insurance Reform Act of 2004, and basic flood insurance education as outlined in 70 CFR Sec. 52117, Ms. Bocanegra violated RCW 48.17.153(1).

2. By transacting insurance business on behalf of Mr. Collup's agency without a business entity affiliation in place, Ms. Bocanegra violated WAC 284-17-473.

3. RCW 48.17.530(1)(b) provides that the Commissioner may levy a civil fine for violating any insurance laws, or violating any rule of the Commissioner.

4. RCW 48.17.560 states that after a hearing or upon stipulation by the licensee or insurance education provider, and in addition to or in lieu of suspension, revocation, or refusal to renew any such license or insurance education provider approval, the Commissioner may levy upon the licensee or insurance education provider a fine of not more than $1,000 per violation of the insurance code.

CONSENT TO ORDER:

Ms. Bocanegra, acknowledging her duty to comply fully with the applicable laws of the State of Washington, consents to the following in consideration of her desire to resolve this matter without further administrative or judicial proceedings. The Insurance Commissioner consents to settle the matter in consideration of Ms. Bocanegra's payment of a fine on such terms and conditions as are set forth below.

1. Ms. Bocanegra consents to the entry of this Order, waives any and all hearing rights, and further administrative or judicial challenges to this Order.

2. By agreement of the parties, the Insurance Commissioner will impose a fine of $1,000.00 (One Thousand Dollars) to be paid by Ms. Bocanegra within thirty days of the date of the entry of this Order.

3. Ms. Bocanegra understands and agrees that any future failure to comply with the statute and regulation that is the subject of this Order constitutes grounds for further penalties, which may be imposed in response to further violations.

4. Ms. Bocanegra's failure to timely pay this fine and to adhere to the conditions shall constitute grounds for revocation of her producer license and shall result in the recovery of the fine

through a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

EXECUTED this _____ day of _____, 2011.

CRISTEN J. BOCANEGRA

Signature:_____

ORDER

Pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner hereby Orders as follows:

1. Ms. Bocanegra shall pay a fine in the amount of $1,000.00 (One Thousand Dollars) within thirty days of the date of the entry of this Order.

2. Ms. Bocanegra's failure to pay the fine within the time limit set forth above shall result in the revocation of her producer license and in the recovery of the fine through a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

ENTERED AT TUMWATER, WASHINGTON, this ____ day of _____, 2011.

MIKE KREIDLER
Insurance Commissioner

By _____
Marcia G. Stickler
Legal Affairs Division