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OFFICE OF
INSURANCE COMMISSIONER
HEARINGS UNIT

2013 JUN 18 A 11: 05

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BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of)	Docket No. 13-0184
)	
TOMAS E. MIRANDA,)	NOTICE OF HEARING
)	
Applicant.)	
-----)	

TO: Tomas E. Miranda
1685 Heritage Road
Walla Walla, WA 99362

COPY TO: Mike Kreidler, Insurance Commissioner
James T. Odiorne, Chief Deputy Insurance Commissioner
John F. Hamje, Deputy Commissioner, Consumer Protection Division
Jeff Baughman, Licensing Manager, Consumer Protection Division
Andrea Philhower, Staff Attorney, Legal Affairs Division
Charles Brown, Acting Deputy Commissioner, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

On May 28, 2013, the Insurance Commissioner ("OIC") sent a letter by electronic mail to Tomas E. Miranda informing him that his applications for a *Letter of Written Consent to Engage in the Business of Insurance* and a Washington resident insurance producer's license both had been denied. As evidenced in the OIC's letter, the OIC based its denials on its allegations that Mr. Miranda has had fairly recent felony conviction(s), citing RCW 48.17.530(1)(f) which gives the OIC the authority to deny a license if the applicant has been convicted of a felony. In response, Mr. Miranda submitted a request for hearing on May 30, 2013. Mr. Miranda states that he would like to present his position in person.

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On June 13, 2013, the undersigned held a first prehearing conference in this matter, which included all parties. The OIC was represented by Andrea Philhower, Esq., Staff Attorney in the OIC's Legal Affairs Division. Mr. Miranda 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 June 26, 2013.

Accordingly, **YOU ARE HEREBY NOTIFIED that a hearing will be held commencing on Wednesday, June 26, 2013, at 10:00 a.m. Pacific Daylight Time.** The purpose of this hearing, which will include all parties, is to consider whether Mr. Miranda's applications for *Letter of Written Consent* and an insurance producer's license should be denied, granted, or granted with conditions imposed.

The OIC will appear by and through Andrea Philhower, Staff Attorney in the Legal Affairs Division. Ms. Philhower's address is Office of the Insurance Commissioner, Legal Affairs Division, P.O. Box 40255, Olympia, WA 98504-0255 and her telephone number is (360) 725-7063. Mr. Miranda will appear pro se, although he is advised that he may retain an attorney to represent him at any time. His address is 1685 Heritage Road, Walla Walla, WA 99362 and his telephone number is (509) 460-9962.

Patricia D. Petersen, Esq., Presiding Officer, who serves as Chief Presiding 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 denial letter and in Mr. Miranda'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.

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,

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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 June 26, 2013, at 10:00 a.m. Pacific Daylight Time, continuing on each successive day until terminated, in the Office of the Insurance Commissioner, 5000 Capitol Blvd., Tumwater, WA.

ENTERED AT TUMWATER, WASHINGTON, this 18th day of June, 2013, pursuant to Title 48 RCW and specifically RCW 48.04 and Title 34 RCW and regulations applicable thereto.



PATRICIA D. PETERSEN
Chief 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: Tomas E. Miranda, Mike Kreidler, James T. Odiorne, John F. Hamje, Esq., Jeff Baughman, Andrea Philhower, Esq., and Charles Brown, Esq.,

DATED this 18th day of June, 2012.


KELLY A. CAIRNS

HEARINGS UNIT
Fax: (360) 664-2782

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

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

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

Chief Presiding 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. 13-0184 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: _____