

— KREGER BEEGHLY, PLLC —

ATTORNEYS

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CLERK OF SUPERIOR COURT  
STATE OF WASHINGTON  
COUNTY OF KING  
SEATTLE

May 8, 2014

Sent via Electronic Delivery and U.S. Postal Service

Ms. Patricia Petersen  
Hearing Officer  
Office of Insurance Commissioner  
State of Washington  
5000 Capitol Blvd.  
Tumwater, WA 98501

Mailing Address:  
P.O. Box 40257  
Olympia, WA 98504-0257

RE: Paul D. Genest  
Demand for Hearing

Dear Ms. Petersen:

Our firm represents Mr. Paul D. Genest. Pursuant to RCW 48.04.010, we herewith submit this Demand for Hearing on behalf of Mr. Genest and request that this matter be docketed for Hearing at your earliest convenience.

Mr. Genest is aggrieved by acts of the Insurance Commissioner and the Office of Insurance Commissioner ("OIC") or by the OIC's failure to act that has resulted in harm to Mr. Genest.

Prior to December 12, 2013, Mr. Genest held a valid and active insurance producer license issued by the Washington Office of Insurance Commissioner. On or about November 19, 2013, the OIC issued its Order Revoking License ("Order") against Mr. Genest. The OIC's Order contained allegations of violations of law committed by Mr. Genest which, although without testimonial or evidentiary proof, formed the basis for the OIC to revoke Mr. Genest's producer license effective as of December 12, 2013.

No hearing was requested or conducted by the OIC on its Order. The OIC did not present or offer any proof of the allegations contained in the OIC's Order, and Mr. Genest's attempts to explain certain factual matters to representatives of the OIC were ignored by the OIC. Mr. Genest was not represented at the time the OIC issued its Order. Mr. Genest was not aware of his rights under the laws of the State of Washington and was not familiar with the proceedings in the OIC for challenging the allegations in the OIC's Order. Because of this, and by his own admission, Mr. Genest did not timely file a request for hearing to contest the OIC's Order.

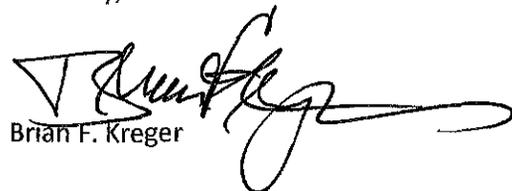
After being informed that a hearing was not available to him to contest the OIC's Order, Mr. Genest contacted representatives of the OIC seeking advice and instruction regarding re-applying for a new insurance producer license. In reliance on information provided by representatives of the OIC, Mr. Genest enrolled in producer pre-licensing education courses as a requisite for applying with the OIC for a producer license. Mr. Genest passed all the pre-licensing education courses and submitted the necessary education certification, application forms, and filing fees to the OIC in accordance with the advice provided by representatives of the OIC.

Unfortunately, and to Mr. Genest's detriment, the OIC reversed its advice to Mr. Genest and told him that the OIC would not accept his application for a new insurance producer license. Rather, the OIC advised Mr. Genest to submit a request to the OIC for a reinstatement of his (former) insurance producer license. Mr. Genest complied with this instruction and submitted such a request for reinstatement on March 24, 2014. On March 25, 2014, a representative of the OIC informed Mr. Genest by e-mail that his application for a producer license was denied. In that e-mail communication, the OIC's representative informed Mr. Genest that he could demand a hearing to contest the OIC's decision.

Mr. Genest relied in good faith on the advice and instruction of representatives of the OIC regarding the measures he had to comply with in order to seek either a new producer license or a reinstatement of his (former) insurance producer license. Mr. Genest has been harmed by the acts of the OIC and is aggrieved of the OIC's failure to act favorably on his good faith efforts to comply with the requirements established by the OIC for securing his insurance producer license.

Mr. Genest seeks relief from the acts and failings of the OIC and, accordingly, files his Demand for Hearing to contest the harmful and detrimental decisions of the OIC and its representatives.

Sincerely,

  
Brian F. Kreger

C. Paul D. Genest  
File