



OFFICE OF
INSURANCE COMMISSIONER
HEARINGS UNIT

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HEARINGS UNIT
OFFICE OF
INSURANCE COMMISSIONER

PLEASE E-MAIL FILE-STAMPED COPY TO CONFIRM RECEIPT.

TO: Office of Administrative Hearings

MATTER: In the Matter of Juan C. Barajas, Order Revoking License, No. 16-0007

COUNSEL REPRESENTING COMMISSIONER: Commissioner appearing through:

Charles Brown, Senior Insurance Enforcement Specialist
Office of the Insurance Commissioner (OIC), Legal Affairs Division
P.O. Box 40255
Olympia, Washington 98504-0255
(360) 725-7044
CharlesB@oic.wa.gov

AGGRIEVED PARTY:

Juan C. Barajas
221 E. 4th Avenue
Kennewick, WA 99336
(509) 572-8202
Jbarajas52@yahoo.com

OIC HEARINGS UNIT ACTION TO DATE: Notice of Receipt of Demand for Hearing sent to Aggrieved Party on February 9, 2016. The OIC's Order Revoking License, effective February 9, 2016, is stayed pending the entry of a Final Order.

AGENCY REQUEST: As soon as possible, please assign an ALJ to hold an evidentiary hearing and any necessary preliminary conference(s), enter an Initial Order, and then return the original file and hearing record to the OIC Hearings Unit.

Should this matter be settled prior to hearing before the ALJ, or the Aggrieved Party fails to appear at scheduled hearing, the ALJ will issue a Final Order.

OTHER INFORMATION: 1) The OIC requires insurance agents and brokers who are the subjects of disciplinary matters to appear in person at evidentiary hearings, because assessing their demeanor is important. 2) If the ALJ permits any non-agent, non-broker entity (or its attorney) to appear by telephone, both parties (or their attorneys) should

Juan C. Barajas

No. 16-0007

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appear by telephone, so one party/attorney is not alone with the ALJ. 3) Absent unique circumstances and agreement of all parties, hearings should be held in Olympia.

Documents included in transmission:

1. Order Revoking License, No. 16-0007, dated January 12, 2016.
2. Demand for Hearing, filed February 5, 2016.
3. Notice of Receipt of Demand for Hearing dated February 9, 2016.

Agency Contact: Dorothy Seabourne-Taylor, Hearings Unit Paralegal
Office of Insurance Commissioner
P.O. Box 40255
Olympia, WA 97504-0255
(306) 725-7002
Hearings@oic.wa.gov

Billing Contact: Same.

Date: February 9, 2016



William G. Pardee
Presiding Officer

February 5, 2016
Hearing Unit
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255
Order # 16-0007

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HEARINGS UNIT
OFFICE OF
INSURANCE COMMISSIONER

To whom It may concern,

I received your letter dated January 13, 2016, in which The State of Washington Office of the Insurance Commissioner has ordered, and notified me that my insurance producers license is to be revoked effective February 9, 2016. I am requesting a hearing to challenge this action of the Commissioner for the following reasons:

1. This will not happen again. I am a citizen that always abides by the law and that is why I needed to make this right.
2. I would like to apologize for my actions (stating that I was a citizen while, being a resident) I didn't realize the severity of my actions.
3. The reason I continued to reinstate my license marked as citizen, is due to me not finding a resident option in the application. I have poor administration skills.

I disagree with this decision because, I know I am a good resident and getting my license revoked is not a fair consequence. It feels like punishment enough already by not being able to protect families with life insurance.

This decision harmed not only me but my family financially.

Sincerely,

Juan Carlos
509-572-8202
Jbarajas52@yahoo.com
221 E. 4th Ave.
Kennewick, WA 99336

STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER

In The Matter of

JUAN C. BARAJAS,

Licensee.

ORDER NO. 16-0007

WAOIC NO. 794717
NPN 16400413

ORDER REVOKING LICENSE

To: Juan Carlos Barajas
221 E. 4th Ave.
Kennewick, WA 99336

Primerica
c/o Juan Carlos Barajas
364 Chardonnay Blvd #1
Prosser, WA 99350

jbarajas52@yahoo.com

IT IS ORDERED AND YOU ARE HEREBY NOTIFIED that your Washington State insurance producer's license is **REVOKED**, effective **February 9, 2016**, pursuant to RCW 48.17.530.

BASIS:

1. Juan C. Barajas ("the Licensee") is a Washington resident insurance producer, WAOIC No. 794717, first licensed in September 2011.
2. Licensee first applied for an insurance producer license in September 2011. In his application, he provided a Social Security Number as required by the OIC's online application, answered "yes" to the question "are you a US citizen," and certified under penalty of perjury that

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Olympia, WA 98504-0255

the information was true and complete. His license expired and he applied for reinstatement in January 2013, repeating these representations. His license again expired and he again repeated the representations in 2015.

3. In September 2015, Licensee emailed OIC licensing supervisor, Monica Solberg, requesting that his Social Security Number ("SSN") be updated, i.e. changed. In subsequent correspondence with OIC, Licensee acknowledged the SSN he originally supplied was no good and that his country of citizenship is Mexico.

4. RCW 48.30.040 provides that no person shall knowingly make, publish, or disseminate any false, deceptive or misleading representation . . . in the conduct of the business of insurance, or relative to the business of insurance or relative to any person engaged therein.

5. RCW 48.17.530(1)(a) allows the Insurance Commissioner to place on probation, suspend, revoke, or refuse to issue or renew an adjuster's license, an insurance producer's license, a title insurance agent's license, or any surplus line broker's license for providing incorrect, misleading, incomplete, or materially untrue information in the license application. By providing a false SSN and by falsely answering "yes" in his OIC online application, to the question "are you a US citizen," and certifying under penalty of perjury that the information was true and complete, the Licensee violated RCW 48.17.530(1)(a), justifying the revocation of his license.

6. RCW 48.17.530(1)(c) allows the Insurance Commissioner to place on probation, suspend, revoke, or refuse to issue or renew an adjuster's license, an insurance producer's license, a title insurance agent's license, or any surplus line broker's license for obtaining or attempting to obtain a license through misrepresentation or fraud. By providing a false SSN and by falsely answering "yes" in his OIC online application, to the question "are you a US citizen," and certifying under penalty of perjury that the information was true and complete, the Licensee violated RCW 48.17.530(1)(c), justifying the revocation of his license.

7. By providing a false SSN and by falsely answering "yes" in his OIC online application, to the question "are you a US citizen," and certifying under penalty of perjury that

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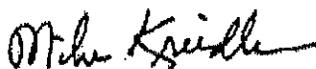
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Olympia, WA 98504-0255

the information was true and complete, the licensee violated RCW 48.30.040, RCW 48.17.530(1)(a) and RCW 48.17.530(1)(c) justifying the revocation of Mr. Barajas' license.

IT IS FURTHER ORDERED that you return your insurance producer's license certificate to the Insurance Commissioner on or before the effective date of the revocation of your license, as required by RCW 48.17.530(4). Return your license to:

Licensing Manager
Office of the Insurance Commissioner
P. O. Box 40255
Olympia, WA 98504-0255

ENTERED at Tumwater, Washington, this 12th day of January, 2016.



MIKE KREIDLER
Insurance Commissioner

By and through his designee



Charles Brown
Senior Insurance Enforcement Specialist
Legal Affairs Division

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Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

NOTICE OF YOUR RIGHT TO A HEARING

If you are aggrieved by this Order Revoking License, you may demand a hearing in accordance with RCW 48.04.010, WAC 284-02-070 and WAC 10-08-110. Generally a hearing demand must be in writing and received within 90 days after the date of this Order Revoking License, which is the day it was mailed to you, or you will waive your right to a hearing.

If the Insurance Commissioner receives your demand for a hearing before the effective date listed on the order revoking your license, the revocation will be automatically stayed (postponed) and your license will remain in effect pending the hearing.

Your demand for a hearing should be sent to the following address and must briefly state how you are harmed by this decision and why you disagree with it:

Hearings Unit
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

You will be notified of the time and place of your hearing. If you have questions about filing a demand for hearing or the hearing process, please telephone the Hearings Unit at (360) 725-7002 or send an email to Hearings@oic.wa.gov.

CERTIFICATE OF MAILING

The undersigned certifies under the penalty of perjury under the laws of the state of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

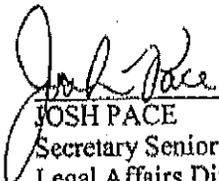
On the date given below I caused to be served the foregoing Order Revoking License on the following individual by email and by depositing in the U.S. mail via state Consolidated Mail Service with proper postage affixed:

Juan Carlos Barajas
221 E. 4th Ave.
Kennewick, WA 99336

Primerica
c/o Juan Carlos Barajas
364 Chardonnay Blvd #1
Prosser, WA 99350

jbarajas52@yahoo.com

Dated this 13th day of January, 2016, in Tumwater, Washington.



JOSH PACE
Secretary Senior
Legal Affairs Division

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Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255