

BEFORE THE STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER

FILED

2018 JUN 29 A 10:23

In the Matter of:

SARAH CARPER

Applicant.

Docket No. 18-0290

HEARINGS UNIT
OFFICE OF
INSURANCE COMMISSIONER

NOTICE OF HEARING

TO: Sarah Carper
16 N. Broadway #33
Tacoma, WA 98503

COPY TO: Mike Kreidler, Insurance Commissioner
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner
Melanie Anderson, Deputy Commissioner, Consumer Protection Division
Jeff Baughman, Licensing & Education Manager, Consumer Protection Division
Toni Hood, Deputy Commissioner, Legal Affairs Division
Sofia Pasarow, Insurance Enforcement Specialist, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

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

On May 10, 2018, Cheryl Penn, Producer Licensing & Oversight Compliance Supervisor in the Office of Insurance Commissioner's ("OIC's") Consumer Protection Division sent an e-mail to Sarah Carper ("Carper") denying her application for a surety producer license on the basis of Carper's 2012 felony convictions (two counts) for trafficking in stolen property; Carper's 2012 felony conviction for theft; and Carper's five gross misdemeanor theft convictions dated from 2011 to 2016.

On June 12, 2018, Carper filed a Demand for Hearing challenging the denial of her application. She stated that since her last conviction she has started college, is a Psychology major, and is within one quarter from receiving her AAS in Chemical Dependency Counseling. Further, she stated her past crimes were while under the influence of opiate addiction, that currently she does not have a problem with alcohol or drugs, and is in mental health treatment to cope with underlying issues to assist in remaining drug free.

On June 27, 2018, the undersigned held a first prehearing conference. Sofia Pasarow, Insurance Enforcement Specialist of the OIC's Legal Affairs Division, appeared on behalf of the OIC. Sarah Carper appeared pro se.

After considering the views of the Parties, the undersigned enters the following Order:

By September 7, 2018, the parties must serve and file dispositive Motions. By September 21, 2018, the parties must serve and file Responses to such Motions. By September 28, 2018, the parties must serve and file Replies to such Responses. I expect to rule without oral argument as soon as possible after briefing is complete.

Assuming this matter is not resolved based upon the dispositive Motions, a hearing will be held at the Office of the Insurance Commissioner, 5000 Capitol Blvd., Tumwater, WA, beginning on Thursday, November 8, 2018, at 9:00 a.m., Pacific Standard Time. Bear in mind that *only* the undersigned has the discretion, if he determines the rights of the parties will not be prejudiced thereby, to conduct all or part of the hearing by telephone. The hearing is expected to require less than one day, but will continue until completed. The purpose of the hearing is to consider whether the OIC should grant Carper's application for a surety producer license pursuant to the provisions of RCW Chapter 48.17.

By November 1, 2018, the parties must exchange witness and exhibit lists, briefs and any other documents they wish to offer into evidence at the evidentiary hearing consistent with WAC 10-08-140, and file them with the Hearings Unit at the address below.

The hearing will be governed by the Administrative Procedure Act, RCW Chapter 34.05, and the model rules of procedure contained in WAC Chapter 10-08. All parties may be represented and may examine witnesses, respond, and present evidence and argument on all relevant issues.

A party who fails to attend or participate in the hearing or another stage of this proceeding may be held in default in accordance with Chapter 34.05 RCW. See RCW 34.05.434(2)(i); RCW 34.05.440(2); WAC 10-08-200(13).

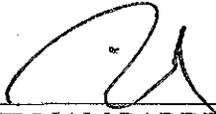
William Pardee, Presiding Officer, has been designated by the Insurance Commissioner to hear and determine this matter. The hearing will be held under the authority granted by the Insurance Commissioner per RCW Chapter 48.04.

Pursuant to WAC 284-02-070(1)(c), accommodation will be made for persons needing assistance due to difficulty with language or disability. Further, pursuant to WAC 10-08-040(2) and in accordance with RCW Chapter 2.42, 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, except as may be provided by RCW Chapter 2.42. A Request for Accommodation form, with instructions, is attached to this Notice.

All case related documents and correspondence shall be directed to the Hearings Unit, Office of Insurance Commissioner, P.O. Box 40255, Olympia, Washington 98504-0255;

HearingsU@oic.wa.gov. All interested individuals and entities who have questions or concerns concerning this proceeding should direct them to the Hearings Unit paralegal, Dorothy Seabourne-Taylor, at the same address. Ms. Seabourne-Taylor's telephone number is (360) 725-7002.

Dated: June 29, 2018



WILLIAM PARDEE
Presiding Officer

CERTIFICATE OF SERVICE

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 filed and served the foregoing Notice of Hearing on the following people at their addresses listed below:

Sarah Carper
16 N. Broadway #33
Tacoma, WA 98503

Mike Kreidler, Insurance Commissioner
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner
Melanie Anderson, Deputy Commissioner, Consumer Protection Division
Jeff Baughman, Licensing & Education Manager, Consumer Protection Division
Toni Hood, Deputy Commissioner, Legal Affairs Division
Sofia Pasarow, Insurance Enforcement Specialist, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

Dated this 29th day of June, 2018, in Tumwater, Washington.


Dorothy Seabourne-Taylor
Paralegal
Hearings Unit

OFFICE OF INSURANCE COMMISSIONER
HEARINGS UNIT
Fax: (360) 664-2782

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

Hearings Unit
Office of Insurance Commissioner
P.O. Box 40255
Olympia, WA 98504-0255
HearingsU@oic.wa.gov

REQUEST FOR ACCOMMODATION FOR LANGUAGE OR DISABILITY

I am a party in Matter No. 18-0290 before the Insurance Commissioner.

I request accommodation for the following disability (insert your disability):

I request an interpreter for myself or a witness who will be testifying at the evidentiary hearing.

Please check the statements that apply:

I am a non-English-speaking person and 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 accommodation for your disability, an interpreter or in providing appropriate mechanical or electronic amplification, viewing, or communication equipment.]

Date: _____

Signed: _____

Please print or type your name: _____

Address: _____

Telephone: _____