

Insurance Commissioner

BEFORE THE STATE OF WASHINGTON OFFICE OF THE INSURANCE COMMISSIONER

In the Matter of

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KARLA PADILLA REYNA

Licensee.

Docket No. 14-0196

OIC RESPONSE TO LICENSEE'S REQUEST TO RESCIND REVOCATION

COMES NOW the Washington State Office of the Insurance Commissioner ("OIC"), by and through Darryl E. Colman, staff attorney, Insurance Enforcement Specialist, and submits its Response to Ms. Padilla-Reyna ("Licensee")'s Request to Rescind Revocation, along with the accompanying Declaration of Renee Molnes and Exhibits thereto. This Response is also based on the other filings and pleadings in this action. The Presiding Officer should deny Licensee's request for a stay, as the Order Revoking License in this matter was sent to the address and email address that Licensee most recently provided to the OIC. Furthermore, the conduct of Licensee as set forth in the Order Revoking License represents a clear threat to consumers.

A. <u>No Automatic Stay</u>

Licensee's Request to Rescind Revocation appears to be most fairly considered a request for a stay pending hearing, although it does not use that precise terminology. RCW 48.04.020(1) provides for a stay of agency action when a "demand for a hearing [is] received by the commissioner prior to the effective date of action taken or proposed to be taken by him." Here, the Order Revoking License, No. 14-0196, was mailed to Licensee's address of record on October 13, 2014, with an effective date of October 31, 2014. Licensee's demand for hearing was received by the OIC's Hearings Unit on January 2, 2015, long after the effective date of the Order Revoking License. The Presiding Officer correctly ruled that no automatic stay was in effect.

OIC RESPONSE TO LICENSEE'S REQUEST TO RESCIND REVOCATION Order No. 14-0196 1

Office of the Insurance Commissioner P O Box 40255 Olympia WA 98504-0255 1 ||

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B.

No Cause For a Discretionary Stay

A discretionary stay is unjustified in this matter because the OIC mailed the Order Revoking License to the mailing address most recently provided to the OIC by Licensee. An order revoking an insurance producer's license is properly served when posted "in the United States mail, addressed to the licensee at the most recent address shown in the commissioner's licensing records for the licensee." RCW 48.17.540(4). WAC 284-17-005(1) further clarifies that "[t]he address of record used by the commissioner will be: … [f]or disciplinary orders, the last U.S. mailing address provided by the person or business entity to the commissioner."

Here, Licensee most recently provided her address to the OIC in March 2014 when she applied for the renewal of her insurance producer's license. At that time, she listed her mailing address as:

"815 N 1ST

YAKIMA WA 98901"

(Declaration of Renee Molnes, page 2, para. 4, and Exhibit A thereto.) Furthermore, Licensee
listed her email address as <u>kpr@insproagencies.com</u>. (*Id.*) Accordingly, these addresses were
accurately entered into the OIC's electronic database as Licensee's contact information.
(Declaration of Renee Molnes, page 1, para. 2.)

Accordingly, the OIC mailed its Order Revoking License to:

Karla Padilla Reyna K P R Insurance & Financial Services 815 North 1st Yakima, WA 98901 <u>kpr@insproagencies.com</u>

20 (Order Revoking License, No. 14-0196, page 1.) As this address was both the mailing address
21 most recently specified by Licensee, and also the address found in the OIC's electronic
22 licensing database, this was the correct address for serving the Order by mail. RCW
23 48.17.540(4); WAC 284-17-005(1). Service on Licensee was complete when the Order
24 Revoking License was mailed to this address on October 13, 2014. See RCW 48.17.540(4);
24 Order Revoking License, No. 14-0196, page 7.

Moreover, "[1]icensees must advise the commissioner of any change of address within
thirty days after a change of address." WAC 284-17-005(2). "This includes any change in

1 the person's residence, mailing, business or e-mail address." Id. "Failure to advise the commissioner of a change of address may subject a licensee to disciplinary action under RCW 2 48.17.530 and 48.17.560." Id. The Licensee never updated her mailing or email address with 3 the OIC after March 2014. (Declaration of Renee Molnes, page 2, para. 4-5.) The Order 4 Revoking License, mailed in October 2014, went to the mailing address that Licensee herself 5 selected only a few months before in March 2014. (Id.; Order Revoking License, No. 14-6 0196, page 7). Even if the Licensee no longer does business at that address, her own failure to 7 update her mailing address, as required by the OIC's regulations, should not justify any kind of stay of the Order Revoking License. WAC 284-17-005(2). This is especially true given 8 that the Licensee's conduct, as set forth in the Order Revoking License, represents a clear 9 threat to consumers. Therefore, the OIC respectfully requests that the Presiding Officer deny 10 any stay of the Order Revoking License. 11

RESPECTFULLY SUBMITTED this <u>24th</u> day of <u>February</u>, 2015.

Mile Kreidle

MIKE KREIDLER Insurance Commissioner

By and through his designee

Darryl E. Colman Insurance Enforcement Specialist Legal Affairs Division

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OIC RESPONSE TO LICENSEE'S REQUEST TO RESCIND REVOCATION Order No. 14-0196 3

Office of the Insurance Commissioner P O Box 40255 Olympia WA 98504-0255

	Received		
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	Insurance Commissioner		
	Insurance Commissioner		
	TE OF WASHINGTON RANCE COMMISSIONER		
In the Matter of			
KARLA PADILLA REYNA	Docket No. 14-0196		
Licensee.	DECLARATION OF RENEE MOLNES RE: LICENSEE'S		
	REQUEST TO RESCIND REVOCATION		
	REVOCATION		
I, <u>RENEE MOLNES</u> , under penal	ty of perjury under the laws of the State o		
Washington, declare that the following facts	are personally known to me, and, if called upon to		
do so, I could and would testify competently	to them.		
1. The Office of the Insuranc	e Commissioner ("OIC") stores records abou		
licensees in an electronic database. This	includes licensee's contact information, such a		
	ntact information is received from licensees in the		
	ccurately recorded in the electronic database at o		
near the time the information is received from			
	ronic database, Ms. Padilla-Reyna's most recen		
contact information is as follows:			
	ng address:		
Karla D	ng address:		
81	adilla-Reyna 15 N 1 st		
81 Yakima	adilla-Reyna 15 N 1 st a, WA 98901		
81 Yakima	adilla-Reyna 15 N 1 st		
81 Yakima <u>I</u>	adilla-Reyna 15 N 1 st a, WA 98901		
81 Yakima <u>I</u>	adilla-Reyna 15 N 1 st a, WA 98901 <u>Email:</u> roagencies.com		
81 Yakima <u>kpr@inspr</u> It is the licensee's responsibility to keep this 3. Furthermore, the OIC's elec	adilla-Reyna 15 N 1 st A, WA 98901 <u>Email:</u> roagencies.com contact information up to date. ctronic database keeps a record of document:		
81 Yakima <u>I</u> It is the licensee's responsibility to keep this	adilla-Reyna 15 N 1 st A, WA 98901 <u>Email:</u> roagencies.com contact information up to date. ctronic database keeps a record of document:		

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1	applications are received from licensees by the OIC in the regular course of business, and are
2	truly and accurately recorded in the electronic database at or near the time the application is
3	received from the licensee.

4. Attached as Exhibit A hereto is a true and accurate copy of Ms. Padilla-Reyna's most recent license renewal application summary. The application was filed March 18, 2014.
5 Ms. Padilla-Reyna was required to certify that all the information contained in the application was true and complete. Ms. Padilla-Reyna's March 18, 2014, license renewal application
7 summary lists her contact information as follows:

Mailing address:

815 N 1st Yakima, WA 98901

kpr@insproagencies.com

5. Ms. Padilla-Reyna also identified her residence address, but did not list it as an alternative mailing address. Ms. Padilla-Reyna never updated her mailing address or email with the OIC since March 18, 2014.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF WASHINGTON STATE THAT THE FOREGOING IS TRUE AND CORRECT.

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Dated this 24th day of February, 2015.

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DECLARATION OF RENEE MOLNES RE: LICENSEE'S REQUEST TO RESCIND REVOCATION ORDER NO. 14-0196

Office of the Insurance Commissioner P O Box 40255 Olympia WA 98504-0255

APPLICATION SUMMARY

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License		ILLA REYNA, KA		- "		03/19/1974
	t Licensee? Y	,			US Cit.	. ,
NPN #	7313584	WAOIC #	195244 CRI	# 4555923		
ADDRES	5 DETAILS					
Mailing	Address	Bus	iness Address		Residence Add	ress
	ST WA 98901 09-454-5009		5 N 1ST KIMA WA 98901		10050 MIERAS YAKIMA WA 989	
kpr@ins	proagencies.com	L				
License Type	Action	Lines		Effective Date	Expiry Date	Represent BE
Insurance Produce:		L, D, P, C, VL.	nanahorang sampi yang ang solo pang sing bi	07/01/2009	03/19/2014	ala (un film) (marriador e anticologo as
		·			in the American Control of Control of State	<pre>interface and interface interfa</pre>
Course	# Provider #	Course Name	Provider Name	Credit Hour	s Ethic Hours	Completion Date
607716	12012	BECOMING AN INSURANCE EXPERT SERIES COURSE FOUR	INTELLIPASS INC	21	0	03/17/2014
355025	12012	ETHICS COURSE 1	INTELLIPASS INC	: 3	3	03/13/2014
609685	300346	WAHBE Producer Training	Washington Health Benefit Exchange	4	0	10/02/2013
Q.No.	Question		an an an an an an Araba an			Response
la.	deferred, or a	ire you current	misdemeanor, hat by charged with y reported to th	committing a r	nisdemeanor,	No
1b.	or are you cur	rently charged	a felony, had a j d with committing insurance depart	a felony, wh:		
1c.	deferred, or a	re you current	a military offens ly charged with previously repor	committing a r	nilitary	nr No
2.	proceeding inc any profession	luding a FINRA al or occupati	ved as a party i A sanction or ark Ional license or this insurance of	itration proce registration,	eding regardir	. No Ig
3.	-		obligation in ar insurance depart		1 has not been	No
4.	'for this renew		er to one or more 1, are you submit nouse?			N/A

APPLICATION SUMMARY

No.	
1.	I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.
2.	Unless provided otherwise by law or regulation of the jurisdiction, I hereby designate the Insurance Commissioner to be my agent for service of process regarding all insurance matters in the respective jurisdiction and agree that service upon the Insurance Commissioner is of the same legal force and validity as personal service upon myself.

3. I further certify that I grant permission to the Insurance Commissioner to verify information with any federal, state or local government agency, current or former employer, or insurance company.

4. I further certify that, under penalty of perjury, a) I have no child support obligation, b) I have a child support obligation and I am currently in compliance with that obligation, or c) I have identified my child support obligation arrearage on this application.

- 5. I authorize the jurisdictions to which this application is made to give any information concerning me, as permitted by law, to any federal, state or municipal agency, or any other organization and I release the jurisdictions and any person acting on their behalf from any and all liability of whatever nature by reason of furnishing such information.
- 6. I acknowledge that I understand and comply with the insurance laws and regulations of the jurisdictions to which I am applying for licensure.
- 7. For Non-Resident License Applications, I certify that I am licensed and in good standing in my home state/resident state for the lines of authority requested from Washington State.
- 8. I hereby certify that upon request, I will furnish the jurisdiction(s) to which I am applying, certified copies of any documents attached to this application or requested by the jurisdiction(s).

Total Fee	\$55.00
License Fee(Insurance Producer)	\$55.00
Fee Description	Fee (in USD)

KARLA PADILLA REYNA

EXHIBIT A, Page 2 of 2

1	CERTIFICATE OF MAILING
2	The undersigned certifies under the penalty of perjury under the laws of the state of
3	Washington that I am now and at all times herein mentioned, a citizen of the United States, a
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5	resident of the state of Washington, over the age of eighteen years, not a party to or interested
6	in the above-entitled action, and competent to be a witness herein.
7	On the date given below I caused to be served the following documents:
8 9	1. OIC RESPONSE TO LICENSEE'S REQUEST TO RESCIND REVOCATION, and
10	2. DECLARATION OF RENEE MOLNES RE: LICENSEE'S REQUEST TO RESCIND REVOCATION,
11 12	on the following individuals at their respective addresses, as indicated below:
12	Via Hand Delivery:
14	Hon. George Finkle, Chief Hearing Officer P O Box 40255
15	Olympia, WA 98504-0255
16	Via electronic mail:
17	Karla Padilla ReynaKarla Padilla Reyna815 North 1st10050 Mieras Road
18	Yakima, WA 98901 Yakima, WA 98901
19	kpr@insproagencies.com excelsior4944@gmail.com
20	DATED this <u>24th</u> day of <u>February</u> , 2015, at Tumwater, Washington.
21	Penie Molnes
22	Renee Molnes
23	Paralegal
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CERTIFICATE OF MAILING Order No. 14-0196

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