

STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

Before the Director of the Department of Insurance and Financial Services

In the matter of:

Tracey Armijo
System ID No. 0601880

Enforcement Case No. 15-12408

Respondent.

_____ /

Issued and entered
on February 3, 2016
by Teri L. Morante
Chief Deputy Director

ORDER ACCEPTING STIPULATION

Based upon the Stipulation to Entry of Order and the files and records of the Department of Insurance and Financial Services (DIFS) in this matter, the Chief Deputy Director finds and concludes that:

1. Pursuant to Executive Order 2013-1, all authority, powers, duties, functions, and responsibilities of the Commissioner of the Office of Financial and Insurance Regulation (Commissioner) have been transferred to the Director of DIFS.
2. The Chief Deputy Director has jurisdiction and authority to adopt and issue this Order Accepting Stipulation in this proceeding pursuant to the Michigan Administrative Procedures Act of 1969 (APA), as amended, MCL 24.201 *et seq.*, and the Michigan Insurance Code of 1956 (Code), MCL 500.100 *et seq.*
3. All required notices have been issued in this case, and the notices and service thereof were appropriate and lawful in all respects.
4. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
5. All applicable provisions of the APA have been met.
6. Respondent violated Section 1239(1)(h) of the Code, MCL 500.1239(1)(h), by requesting insurance policy information by misrepresenting the identity of the caller to the insurer. Respondent deceptively identified herself as the insured to the insurer for the purpose of obtaining insurance policy declaration pages.

Now therefore, based upon the Stipulation to Entry of Order and the facts surrounding this case,
IT IS ORDERED THAT:

7. Respondent shall be placed on probation for a period of one (1) year beginning February 1, 2016, and ending February 1, 2017, during which time the following requirements and prohibitions are applied:
 - a. Respondent must provide in writing all written or oral customer complaints made against her within 30 days of receipt of said complaint, along with a written description of any and all steps taken to resolve the issue.
 - b. Respondent must keep all records from all transactions and have them reasonably available for possible on-site, surprise audits.
 - c. Respondent is prohibited from obtaining any further appointments throughout the probationary period unless the Insurance Licensing Division of DIFS consents in writing prior to the appointment. In order to request consent, Respondent must file a request for permission to obtain the additional appointment in writing and await DIFS's written response.
 - d. Respondent is required to take, prior to February 1, 2017, an additional three (3) credits of Continued Education in ethics. These credits are in addition to the three credits required of all licensees thereby increasing the total number of ethics credits needed to six.
 - e. Respondent is prohibited from becoming the designated responsible licensed producer for any additional agencies during the probationary period.
8. Respondent shall pay to the State of Michigan, through DIFS, a civil fine of \$1,000.00 within 30 days of the invoice date as indicated on the DIFS invoice.
9. The Chief Deputy Commissioner retains jurisdiction over the matters contained herein and has the authority to issue such further order(s) as shall be deemed just, necessary, and appropriate in accordance with the Act. Failure to abide by the terms and provisions of the Stipulation to Entry of Order and this Order may result in the commencement of additional proceedings.



Teri L. Morante
Chief Deputy Director

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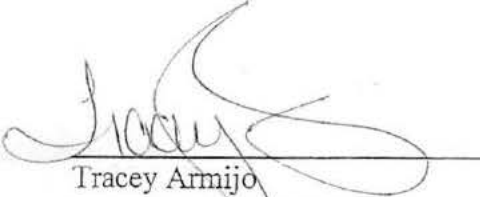
STIPULATION TO ENTRY OF ORDER

Tracey Armijo (Respondent) stipulates to the following:

1. On or about March 17, 2015, the Department of Insurance and Financial Services (DIFS) served Respondent with a Notice of Opportunity to Show Compliance (NOSC) alleging that Respondent violated provisions of the Insurance Code of 1956 (Code), MCL 500.100 *et seq.*
2. Specifically, the NOSC contained allegations that Respondent violated Section 1239(1)(h) of the Code, MCL 500.1239(1)(h).
3. Respondent and DIFS conferred for the purpose of resolving this matter.
4. Respondent exercised the right to an opportunity to show compliance pursuant to the Michigan Administrative Procedures Act (APA), MCL 24.201 *et seq.*
5. At all pertinent times, Respondent was licensed with DIFS as an insurance producer pursuant to the Code.
6. Respondent admits that she requested insurance policy information by misrepresenting the identity of the caller to the insurer. Respondent admits that she deceptively identified herself as the insured to the insurer for the purpose of obtaining insurance policy declaration pages.
7. All parties have complied with the procedural requirements of the APA and the Code.
8. Respondent agrees that she will cease and desist from operating in a manner that violates the Code.


9. Respondent shall be placed on probation for a period of one (1) year beginning February 1, 2016, and ending February 1, 2017, during which time the following requirements and prohibitions are applied:
 - a. Respondent must provide in writing all written or oral customer complaints made against her within 30 days of receipt of said complaint, along with a written description of any and all steps taken to resolve the issue.
 - b. Respondent must keep all records from all transactions and have them reasonably available for possible on-site, surprise audits.
 - c. Respondent is prohibited from obtaining any further appointments throughout the probationary period unless the Insurance Licensing Division of DIFS consents in writing prior to the appointment. In order to request consent, Respondent must file a request for permission to obtain the additional appointment in writing and await DIFS's written response.
 - d. Respondent is required to take, prior to February 1, 2017, an additional three (3) credits of Continued Education in ethics. These credits are in addition to the three credits required of all licensees thereby increasing the total number of ethics credits needed to six.
 - e. Respondent is prohibited from becoming the designated responsible licensed producer for any additional agencies during the probationary period.
10. Respondent shall pay to the State of Michigan, through DIFS, a civil fine of \$1,000.00 within 30 days of the invoice date as indicated on the DIFS invoice.
11. Respondent has had an opportunity to review this Stipulation to Entry of Order and the proposed Order Accepting Stipulation and have the same reviewed by legal counsel.
12. Respondent understands and agrees that this Stipulation to Entry of Order will be presented to the Chief Deputy Director for approval.
13. The Chief Deputy Director may, in her sole discretion, decide to accept or reject this Stipulation to Entry of Order. If the Chief Deputy Director accepts the Stipulation to Entry of Order, Respondent waives the right to a hearing in this matter and consents to the entry of the Order Accepting Stipulation. If the Chief Deputy Director does not accept the Stipulation to Entry of Order, Respondent waives any objection to the Director holding a formal administrative hearing and making a decision after such hearing.

14. It is further agreed that this stipulation has been negotiated in return for the avoidance of further proceedings and certain promises and conditions. Should Respondent fail to comply with the terms of this Stipulation and the Director's Order, the parties agree that an action will commence to determine if the Respondent has, in fact, failed to comply, and, if so, Respondent agrees that the fines and/or fees will immediately increase to the maximum amount allowed under the Code and shall be immediately due in full.


Tracey Armijo
System ID No. 0601880

9/19/15
Date

DIFS Staff approve this Stipulation and recommend that the Chief Deputy Director accept it and issue an Order Accepting Stipulation.


Scott Basel (P68335)
DIFS Attorney

1-27-16
Date

RECEIVED

JAN 26 2016

DIFS/OGC