

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

**In the Matter of:**

**JOSEPH CARDONA**

(National Producer License No. 19502042)

Respondent

**No. 22A-017-INS-RES**

**ORDER**

On August 24, 2022, the Office of Administrative Hearings, through Administrative Law Judge Velva Moses-Thompson, issued an Administrative Law Judge Decision (“Recommended Decision”). The Director of the Arizona Department of Insurance and Financial Institutions (“Director”) received the Recommended Decision on the same date, a copy of which is attached and incorporated by reference. The Director has reviewed the Recommended Decision and enters the following:

1. The Director ADOPTS the Recommended Findings of Fact, except to correct the following:
  - a) Page 1, line 25, should read, “Respondent’s license expires on **July 31, 2024.**”
  - b) Page 2, line 7, should read, “requesting records related to the complaint by November 19, 2021.”
2. The Director ADOPTS the Recommended Conclusions of Law.
3. The Director ADOPTS the Recommended Order and ORDERS:

Joseph Cardona’s Arizona resident insurance producer license, number 19502042, is revoked effective immediately.

**NOTIFICATION OF RIGHTS**

Pursuant to Arizona Revised Statutes (“A.R.S.”) § 41-1092.09, Respondent may request a rehearing or review with respect to this Order by filing a written motion with the

1 Director within 30 days after the date of this Order, setting forth the basis for relief under  
2 Arizona Administrative Code R20-6-114(B). Pursuant to A.R.S. § 41-1092.09, it is not  
3 necessary to request a rehearing before filing an appeal to the Superior Court.

4 Respondent may appeal the final decision of the Director to the Superior Court of  
5 Maricopa County for judicial review, pursuant to A.R.S. § 20-166. A party filing an appeal  
6 must notify the Office of Administrative Hearings of the appeal within ten days after filing the  
7 complaint commencing the appeal, pursuant A.R.S. § 12-904(B).

8 DATED and EFFECTIVE this 25<sup>th</sup> day of August, 2022.

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11 Evan G. Daniels, Director  
12 Arizona Department of Insurance and  
13 Financial Institutions  
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1 **COPY** of the foregoing electronically transmitted  
this 30<sup>th</sup> day of August, 2022, to:

2 Velva Moses-Thompson, Administrative Law Judge  
3 Office of Administrative Hearings  
4 <https://portal.azoah.com/submission>

5 **COPY** of the foregoing mailed by U.S. Certified Mail,  
6 Electronic Receipt Requested, same date to:

7 Joseph Cardona  
8 5401 E. Van Buren St., #1082  
9 Phoenix, AZ 85008  
Respondent 9489 0090 0027 6384 9748 58

10 **COPY** of the foregoing electronically delivered same date to:

11 Deian Ousounov, Assistant Director  
12 Gio Espinosa, Regulatory Legal Affairs Officer  
13 Catherine O'Neil, Consumer Legal Affairs Officer  
14 Ana Starcevic, Paralegal Project Specialist  
15 Steven Fromholtz, Division Manager  
16 Aqueelah Currie, Licensing Supervisor  
17 Wendy Greenwood, Investigations Supervisor  
18 Linda Lutz, Legal Assistant  
19 Arizona Department of Insurance and Financial Institutions  
20 100 North 15th Avenue, Suite 261  
21 Phoenix, AZ 85007

22 **COPY** sent same date via electronic mail to:

23 Joseph Cardona  
24 [jvrevolution@gmail.com](mailto:jvrevolution@gmail.com)  
25 Respondent

26 James Rolstead, Assistant Attorney General  
[James.Rolstead@azag.gov](mailto:James.Rolstead@azag.gov)  
[AdminLaw@azag.gov](mailto:AdminLaw@azag.gov)  
Attorney for the Arizona Department of Insurance and Financial Institutions

*Ana Starcevic*

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

No. 22A-017-INS-RES

Joseph Cardona  
(National Producer License No. 19502042)

ADMINISTRATIVE LAW JUDGE  
DECISION

Respondent.

**HEARING:** August 4, 2022

**APPEARANCES:** Respondent Joseph Cardona failed to appear. Assistant Attorney General James Rolstead appeared on behalf of the Arizona Department of Insurance and Financial Institutions - Insurance.

**ADMINISTRATIVE LAW JUDGE:** Velva Moses-Thompson

**FINDINGS OF FACT**

1. On June 15, 2022, the Arizona Department of Insurance and Financial Institutions (Department) issued a Notice of Hearing and Complaint setting the above-captioned matter for hearing at 1:00 p.m. on August 4, 2022, at the Office of Administrative Hearings in Phoenix, Arizona.<sup>1</sup>

2. Respondent did not appear at the scheduled time and the matter was convened in his absence at about 1:15 p.m. on August 4, 2022.

3. The Department presented the testimony of Department Investigations Supervisor, Wendy Greenwood, and submitted exhibits 1 through 6.

4. Respondent Joseph Cardona was at all material times, licensed as an Arizona resident insurance producer with lines of authority in accident and health or sickness insurance, and life insurance, National Producer Number 19502042.<sup>2</sup>

5. Respondent's license expires on March 18, 2021.<sup>3</sup>

<sup>1</sup> The hearing was continued to February 1, 2021.

<sup>2</sup> See Exhibit 1.

<sup>3</sup> See Exhibit 1.

1 6. Mr. Cardona's addresses of record with the Department are: 11024 N. 28<sup>th</sup>  
2 Dr., Suite 240, Phoenix, Arizona 85029 (business); 5401 E. Van Buren St., #1082,  
3 Phoenix, Arizona 85008 (mailing and residence); and [jvtrevolution@gmail.com](mailto:jvtrevolution@gmail.com) (email).

4 7. On October 26, 2021, the Department received a complaint alleging that  
5 Mr. Cardona had misrepresented the terms of the consumer's limited benefit policy.

6 8. On November 3, 2021, the Department sent an email to Mr. Cardona  
7 requesting records related to the complaint by November 18, 2021.

8 9. Mr. Cardona failed to respond to the November 3, 2021 email.

9 10. On November 24, 2021, the Department sent a second email to Mr. Cardona  
10 requesting a written response and all records pertaining to Complainant.

11 11. Mr. Cardona failed to respond to the second email.

12 12. On January 6, 2022, the Department left a voice message with Mr. Cardona  
13 and sent a third email request for records with a due date of January 13, 2022.

14 Mr. Cardona did not respond to the voice message or third email.

15 13. On February 18, 2022, the Department issued a subpoena Duces Tecum,  
16 pursuant to ARIZ. REV. STAT. § 20-160(A), which ordered Mr. Cardona to appear and  
17 produce documents at the Department for an Examination Under Oath scheduled March  
18 8, 2022.

19 14. Mr. Cardona failed to appear and failed to produce records on March 8, 2022.

### 20 **CONCLUSIONS OF LAW**

21 1. The Department bears the burden of persuasion. ARIZ. REV. STAT. § 41-  
22 1092.07(G)(2).

23 2. The standard of proof on all issues is that of a preponderance of the evidence.  
24 Ariz. Admin. Code § R2-19-119.

25 3. A preponderance of the evidence is:

26 The greater weight of the evidence, not necessarily established  
27 by the greater number of witnesses testifying to a fact but by  
28 evidence that has the most convincing force; superior  
29 evidentiary weight that, though not sufficient to free the mind  
30 wholly from all reasonable doubt, is still sufficient to incline a fair  
and impartial mind to one side of the issue rather than the other.  
BLACK'S LAW DICTIONARY 1373 (10th ed. 2014).

