

STATE OF ARIZONA
Department of Insurance and Financial Institutions
FILED October 19, 2023 by AS

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

**MOHAVE TRANSPORTATION
INSURANCE COMPANY**

NAIC CoCode 14349

4300 East Camelback Road, Suite 460
Phoenix, AZ 85018

Respondent.

No. 23A-065-INS

CONSENT ORDER

The Arizona Department of Insurance and Financial Institutions (“Department”) alleges that Mohave Transportation Insurance Company (“Respondent”) violated provisions of Arizona Revised Statutes (“A.R.S.”) Title 20. Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true, and consents to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent is an Arizona domiciled captive insurer. Respondent holds a certificate of authority, with a line of business in casualty with workers’ compensation insurance, issued by the Department on June 13, 2006.

2. During 2022, the Department received two Arizona consumers’ complaints alleging various misconducts by Respondent.

3. The Department investigated the allegations and found the following:

Complaint Number 50064

a) On or about August 30, 2022, A.P. submitted a complaint to the Department alleging that Respondent delayed processing her vehicle claim.

1 j) On or about November 8, 2022, the Department, via email correspondence sent to
2 mramirez@emariskservices.com, requested that Respondent provide complete records and a
3 response regarding C.L.'s complaint by November 15, 2022. Respondent failed to respond.

4 k) On or about March 28, 2023, the Department sent a second email correspondence to
5 mramirez@emariskservices.com requesting a response to April 3, 2023. Respondent
6 provided a late response on April 12, 2023.

7 **CONCLUSIONS OF LAW**

8 4. The Director has jurisdiction over this matter.

9 5. The Director has authority to conduct examinations and investigations of insurance matters
10 and to request the accounts, records, documents, files, assets and matters in the person's possession or
11 control pursuant to A.R.S. § 20-142(C).

12 6. The director may after a hearing refuse to renew or may revoke or suspend an insurer's
13 certificate of authority, if the insurer violates the provisions of Title 20. A.R.S. § 20-220(A)(1).

14 7. In lieu of or in addition to suspension or revocation, the Director may impose a penalty not
15 to exceed one thousand dollars (\$1,000.00) for each violation and not to exceed an aggregate of ten
16 thousand dollars (\$10,000.00) within any six-month period with respect to unintentional violations.
17 A.R.S. § 20-220(B)(1).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ORDER

IT IS ORDERED:

8. Respondent shall immediately pay to the Department a civil money penalty in the amount of one thousand dollars (\$1,000.00).

9. Respondent shall provide to the Department all requested documents and information upon execution of this Consent Order.

10. Respondent shall provide timely and complete responses to any future inquiries by the Department unless a written request for an extension is approved by the Department prior to the deadline.

DATED AND EFFECTIVE this 19th day October, 2023.

Barbara D. Richardson

Barbara Richardson
Cabinet Executive Officer
Executive Deputy Director
Arizona Department of Insurance and Financial Institutions

CONSENT TO ORDER

1
2 1. Respondent acknowledges that it has been served with a copy of the foregoing Consent
3 Order in the above-referenced matter, has read it, is aware of its right to an administrative hearing in this
4 matter and has knowingly and voluntarily waived that right.

5 2. Respondent accepts the personal and subject matter jurisdiction of the Department over
6 it in this matter.

7 3. Respondent acknowledges that no promise of any kind or nature has been made to induce
8 it to sign the Consent to Order and it has done so knowingly and voluntarily.

9 4. Respondent acknowledges and agrees that the acceptance of this Consent to Order by the
10 Director is solely to settle this matter and does not preclude the Department from instituting other
11 proceedings as may be appropriate now or in the future. Furthermore, and notwithstanding any language
12 in this Consent Order, this Consent Order does not preclude in any way any other state agency or officer
13 or political subdivision of this state from instituting proceedings, investigating claims, or taking legal
14 action as may be appropriate now or in the future relating to this matter or other matters concerning
15 Respondent, including but not limited to violations of Arizona’s Consumer Fraud Act. Respondent
16 acknowledges that, other than with respect to the Department, this Consent Order makes no
17 representations, implied or otherwise, about the views or intended actions of any other state agency or
18 officer or political subdivision of the state relating to this matter or other matters concerning Respondent.

19 5. Respondent acknowledges and agrees that failure to correct the violations set forth above
20 in this Consent Order, or any repeat findings of the above violations in the future, can result in
21 disciplinary action which may include a greater civil money penalty and suspension or revocation of its
22 license.

1 **ORIGINAL** of the foregoing filed
this 19th day of October 2023 in the office of:

2 Barbara Richardson
3 Cabinet Executive Officer
Executive Deputy Director
4 Arizona Department of Insurance and Financial Institutions
Attn: Ana Starcevic, Paralegal
5 100 North 15th Avenue, Suite 261
Phoenix, Arizona 85007
6 Ana.Starcevic@difi.az.gov

7 **COPY** of the foregoing delivered and/or emailed same date to:

8 Deian Ousounov, Assistant Director
Gio Espinosa, Regulatory Legal Affairs Officer
9 Maria Alior, Assistant Director
Victoria Fimea, Chief Captive Analyst
10 Noelani Spenser, Consumer Services Supervisor
Ana Starcevic, Paralegal
11 Arizona Department of Insurance and Financial Institutions
100 North 15th Avenue, Suite 261
12 Phoenix, AZ 85007

13 **COPY** of the foregoing transmitted electronically the same date to:

14 Mohave Transportation Insurance Company
Attn: Aon Insurance Managers (USA) Inc.
15 4300 East Camelback Road, Suite 460
Phoenix, AZ 85018
16 Lee.milizia@aon.com
Respondent

17
18 Ana Starcevic