

STATE OF ARIZONA
FILED

DEC 2 1983

DEPARTMENT OF INSURANCE
By

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

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3 In the Matter of) Docket No. 5321
4 RALPH D. BREDAHL,) ORDER
5)
6 Respondent.)
_____)

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8 THIS MATTER HAVING regularly come on for hearing before
9 Jeffrey P. Larson, Chief Hearing Officer for the Department of
10 Insurance, the Respondent appearing in person and by his counsel,
11 Mark A. Bregman, and the Department of Insurance being repre-
12 sented by Susan Gallinger, Assistant Attorney General, and
13 evidence and testimony having been submitted, it is found as
14 follows:

15 1. The Respondent is a licensed insurance agent.
16 2. On or about February 12, 1982, the Respondent
17 received a check in the sum of Seven Hundred Sixty-six Dollars
18 and 10/100 (\$766.10) from Tom D. Thomason as and for a premium
19 for a boat policy.

20 3. On or about July 17, 1982, the Respondent mailed
21 the boat policy to Mr. Thomason. The policy was effective
22 July 2, 1983. The letter which accompanied the policy stated
23 that the down payment was One Hundred Thirty-eight Dollars and
24 25/100 (\$138.25) and that the balance would be billed in eight
25 (8) installments.

26 4. The policy which was delivered included the
27 application. The signature portion of the application was torn
28 off. A copy of the application was obtained from United
Equitable Insurance Company which included the signature line.

1 The signatures on that line were those of the Respondent and the
2 Respondent's signing of Mr. Thomason's name.

3 5. The Respondent is not a credible witness and his
4 explanation of this matter is not plausible for the following
5 reasons: (a) the Respondent claimed that he did not receive the
6 United Equitable policy when, in fact, he sent it by mail to the
7 Respondent; (b) the Respondent's letter of December 29, 1981,
8 indicated that a boat policy had been obtained and the amount of
9 the policy was Four Hundred Sixty-nine Dollars and 30/100
10 (\$469.30); (c) the Respondent claimed that the check from
11 Mr. Thomason was deposited in a trust account and available to
12 pay for the policy, but when the Respondent finally obtained the
13 policy the premium was apparently financed pursuant to the
14 Respondent's letter dated July 17, 1982.

15 IT IS CONCLUDED AS A MATTER OF LAW that the Respondent
16 misappropriated or converted to his own use monies belonging to a
17 policyholder received during the conduct of business under his
18 license in violation of A.R.S. §20-316. It is further concluded
19 that the Respondent's conduct shows him to be incompetent and a
20 source of injury to the public in violation of A.R.S. §20-316.A.7.
21 Grounds therefore exist to suspend or revoke the Respondent's
22 license, or impose a monetary forfeiture, or both, pursuant to
23 A.R.S. §20-316.

24 IT IS HEREBY ORDERED:

- 25 1. Revoking the Respondent's insurance license.
- 26 2. The Respondent may request a review or rehearing of
27 this matter by making such request in writing within thirty (30)
28 days of the date of this Order setting forth the grounds for such

1 review or rehearing and the relief requested.

2 3. The Respondent shall surrender his license to the
3 Licensing Section of the Department of Insurance on January 3,
4 1984.

5 EFFECTIVE this 2nd day of December, 1983.

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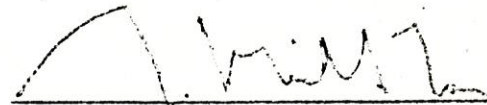
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J. MICHAEL LOW
Director of Insurance



JEFFREY P. LARSON
Chief Hearing Officer

1 COPY of the foregoing mailed this
2 5th day of December, 1983, to:

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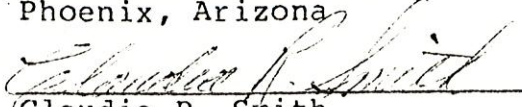
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Claudia R. Smith