

APR 28 2011

DEPT OF INSURANCE  
BY CB

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

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In the Matter of:	)	
<b>FARNES, WESTON,</b>	)	<b>No. 11A-038-INS</b>
	)	
	)	<b>ORDER TO CEASE</b>
	)	<b>AND DESIST</b>
	)	
Respondent.	)	

The Arizona Department of Insurance ("Department") has received evidence that **Weston Farnes** has unlawfully acted as an adjuster in the State of Arizona. Accordingly, the Director of Insurance of the State of Arizona (the "Director") makes the following Findings of Fact and Conclusions of Law and enters the following Order pursuant to A.R.S. § 20-292 as applied to adjusters under A.R.S. § 20-321.02.

**FINDINGS OF FACT**

1. Weston Farnes ("Respondent" or "Farnes") is not licensed with the Department as an adjuster. Farnes is not exempt from the licensing requirement.
2. Farnes' address is: c/o True-Built Construction, LLC, 6317 S. Banning Street, Gilbert, Arizona 85298.
3. On February 22, 2010, Farnes faxed an "Authorization" to Cory Rice at Liberty Mutual regarding Claim # 016918023-01. The Authorization stated that Farnes was representing Arlene Stahm "for the sole purpose of negotiating with Liberty on my behalf to obtain full reimbursement under the terms of my policy for a property damage claim."

**CONCLUSIONS OF LAW**

1. The Director has jurisdiction over this matter.
2. An adjuster means any person who for compensation, fee or commission either adjusts, investigates or negotiates settlement of claims arising under insurance

1 contracts on behalf of an insured or holds oneself out to perform those services, within the  
2 meaning of A.R.S. § 20-321(A).

3 3. Respondent is not exempt from the licensing requirement, within the meaning  
4 of A.R.S. § 20-321(B).

5 4. Respondent's conduct, as alleged above, constitutes acting as or claiming to  
6 be an adjuster without being licensed as an adjuster, in violation of A.R.S. § 20-321.01(A).

7 5. Grounds exist to issue a cease and desist order to Respondent for acting as  
8 or claiming to be an adjuster without being licensed, within the meaning of A.R.S. §20-292  
9 as applied to adjusters under A.R.S. § 20-321.02.

10 **ORDER**

11 IT IS THEREFORE ORDERED:

12 1. Respondent shall immediately cease and desist from unlawfully acting as or  
13 claiming to be an adjuster.

14 2. This Order shall become effective immediately and shall remain in full force  
15 and effect until otherwise stayed, modified, vacated or set aside.

16 **NOTICE OF OPPORTUNITY FOR HEARING**

17 Pursuant to Title 20 of the Arizona Revised Statutes, Respondents are hereby  
18 notified that they may request a hearing pursuant to A.R.S. § 20-161 to contest the order to  
19 cease and desist. Such a request must be in writing and received at the following address  
20 within thirty (30) days from the date hereof:

21 Arizona Department of Insurance  
22 2910 North 44th Street, Suite 210  
23 Phoenix, Arizona 85012  
24 ATTN: Director's Office

25 ...  
26 ...

1           Upon receipt of a timely written request for hearing, the Director will issue an order  
2 setting the time and place of the hearing.

3           DATED AND EFFECTIVE this 28<sup>th</sup> day of April, 2011.

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6 CHRISTINA URIAS, Director  
7 Arizona Department of Insurance

8  
9 COPY of the foregoing mailed,  
10 return receipt requested, this  
11 28<sup>th</sup> day of April, 2011 to:

12 Weston Farnes  
13 c/o True-Built Construction, LLC  
14 6317 S. Banning St.  
15 Gilbert, AZ 85298  
16 Respondent

17 COPY of the foregoing mailed this  
18 28<sup>th</sup> day of April, 2011 to:

19 Lynette Evans  
20 Assistant Attorney General  
21 1275 West Washington  
22 Phoenix, Arizona 85007  
23 Attorney for the Department

24 Weston Farnes  
25 c/o True-Built Construction, LLC  
26 6317 S. Banning St.  
Gilbert, AZ 85298  
Respondent

Gerrie Marks, Deputy Director  
Mary E. Kosinski, Exec. Assistant for Reg. Affairs  
Catherine M. O'Neil, Consumer Legal Affairs Officer  
Mary Butterfield, Assistant Director  
Charles Gregory, Investigations Supervisor  
Arnold Sniegowski, Investigations  
Department of Insurance

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2910 North 44<sup>th</sup> Street, Suite 210  
Phoenix, Arizona 85018

  
Curvey Walters Burton