

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

KURI, NAINAM

(National Producer No. 19591548)

Respondent

No. 21A-065-INS

ORDER

On November 15, 2021, the Office of Administrative Hearings, through Administrative Law Judge Thomas Shedden, 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 November 16, 2021, 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.
2. The Director ADOPTS the Recommended Conclusions of Law.
3. The Director ADOPTS the Recommended Order.
4. The Director ORDERS that Nainam Kuri’s Arizona insurance producer license, number 19591548, 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 Director within 30 days after the date of this Order, setting forth the basis for relief under Arizona Administrative Code R20-6-114(B). Pursuant to A.R.S. § 41-1092.09, it is not necessary to request a rehearing before filing an appeal to the Superior Court.

Respondent may appeal the final decision of the Director to the Superior Court of

1 Maricopa County for judicial review, pursuant to A.R.S. § 20-166. A party filing an appeal
2 must notify the Office of Administrative Hearings of the appeal within ten days after filing the
3 complaint commencing the appeal, pursuant A.R.S. § 12-904(B).

4 DATED and EFFECTIVE this 29th day of November, 2021.

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8 Evan G. Daniels, Director
9 Arizona Department of Insurance and
10 Financial Institutions
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1 **COPY** of the foregoing electronically transmitted
this 2nd day of December, 2021, to:

2 Thomas Shedden, 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 Nainam. Kuri
8 2473 S. Higley Rd., STE 104-139
9 Gilbert, AZ 85295-1105 9489 0090 0027 6266 7767 61
Respondent

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

11 Deian Ousounov, Regulatory Legal Affairs Officer
12 Ana Starcevic, Paralegal Project Specialist
13 Steven Fromholtz, Division Manager
14 Dawn Lucero, Investigator
15 Aquellah Currie, Licensing Supervisor
16 Linda Lutz, Legal Assistant
17 Arizona Department of Insurance and Financial Institutions
18 100 North 15th Avenue, Suite 261
19 Phoenix, Arizona 85007

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

21 Nainam Kuri
22 x5kuri@gmail.com
23 Respondent

24 Holly Wan, Assistant Attorney General
25 Holly.Wan@azag.gov
26 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:
KURI, NAINAM
(National Producer No. 19591548)
Respondent

No. 21A-065-INS
**ADMINISTRATIVE LAW JUDGE
DECISION**

HEARING: November 9, 2021

APPEARANCES: No one appeared for Respondent; Holly Wan, Esq. for the
Department of Insurance and Financial Institutions

ADMINISTRATIVE LAW JUDGE: Thomas Shedden

FINDINGS OF FACT

1. On September 29, 2021, 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 November 9, 2021 at the Office of Administrative Hearings.
2. Respondent Nainam Kuri did not appear at the scheduled hearing time and the matter was convened in his absence at about 1:15 p.m.
3. The Department presented the testimony of its investigator Dawn Lucero.
4. Mr. Kuri is a licensed Arizona resident producer, National Producer Number 19591548 issued by the Department on August 4, 2020. Mr. Kuri’s license is due to expire on February 29, 2024.
5. The Department received information showing that Mr. Kuri had not reported actions that had been taken against him in other states.
6. On August 18, 2020, Kansas denied Mr. Kuri’s application for licensure. Mr. Kuri reported that denial, but not in a timely manner.

1 7. On August 21, 2020, Florida denied Mr. Kuri's application for licensure. Mr. Kuri
2 did not report that denial to either the Department or to the National Insurance Producer
3 Registry.

4 8. On January 11, 2021, Indiana denied Mr. Kuri's application for licensure. Mr. Kuri
5 did not report that denial to either the Department or to the National Insurance Producer
6 Registry.

7 9. On March 22, 2021, South Dakota denied Mr. Kuri's application for licensure. Mr.
8 Kuri did not report that denial to either the Department or to the National Insurance
9 Producer Registry.

10 10. On July 1, 2021, the Department sent to Mr. Kuri's email address of record
11 notification that it had learned of his failure to report actions from other jurisdiction and a
12 proposed consent order.

13 11. On July 15, 2021, the Department also sent that a copy of its email and proposed
14 consent order to Mr. Kuri's address of record via certified mail. The certified letter was
15 signed for on July 17, 2021.

16 12. Mr. Kuri did not respond to the email or certified letter.

17 13. The Department subsequently learned that Mr. Kuri's address of record was at a
18 location that rented post office boxes. A post office box is not an acceptable business
19 address because a licensee is required to maintain files at that address.

20 14. The Department requests that Mr. Kuri's license be revoked.

21 **CONCLUSIONS OF LAW**

22 1. The Department bears the burden of persuasion. ARIZ. REV. STAT. § 41-
23 1092.07(G).

24 2. The burden of proof at an administrative hearing falls to the party asserting a
25 claim, right or entitlement. The standard of proof is that of the preponderance of the
26 evidence. ARIZ. ADMIN. CODE § R2-19-119.

27 3. A preponderance of the evidence is:

28 The greater weight of the evidence, not necessarily established
29 by the greater number of witnesses testifying to a fact but by
30 evidence that has the most convincing force; superior
evidentiary weight that, though not sufficient to free the mind

1 wholly from all reasonable doubt, is still sufficient to incline a fair
2 and impartial mind to one side of the issue rather than the other.

3 BLACK'S LAW DICTIONARY 1373 (10th ed. 2014).

4 4. Mr. Kuri has had producers licenses denied in other states within the meaning of
5 ARIZ. REV. STAT. section 20-295(A)(9).

6 5. Because Mr. Kuri did not report to either the Department or to the National
7 Insurance Producer Registry the actions taken against him in other jurisdictions within
8 thirty days of those actions, he has violated ARIZ. REV. STAT. section 20-301(A), which is
9 also a violation of section 20-295(A)(2).

10 6. The Department alleges that Mr. Kuri violated ARIZ. REV. STAT. section 20-
11 286(C)(1), by failing to update his addresses within thirty days of any change. The
12 Department had not proven this allegation because it has not proven that Mr. Kuri's
13 addresses are not those in his license summary.

14 7. Because Mr. Kuri has violated ARIZ. REV. STAT. sections 20-295(A)(2) and (A)(9)
15 and section 20-301, the Department has authority to revoke his license.

16 8. Considering the facts and circumstances of this matter, particularly Mr. Kuri's
17 failure to appear at the hearing, his license should be revoked.

18 **ORDER**

19 **IT IS ORDERED** that Nainam Kuri's license number 19591548 is revoked.

20 *In the event of certification of the Administrative Law Judge Decision by the Director of*
21 *the Office of Administrative Hearings, the effective date of the Order is five days after*
22 *the date of that certification.*

23 Done this day, November 15, 2021.

24 /s/ Thomas Shedden
25 Thomas Shedden
26 Administrative Law Judge

27 Transmitted electronically to:

28 Evan G. Daniels,
29 Department of Insurance and Financial Institutions - Insurance
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