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STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

KEITH R. GINDLESPERGER

(National Producer No. 19290259)

Respondent.

No. 22A-061-INS

CONSENT ORDER

The Arizona Department of Insurance and Financial Institutions (“Department”) has received evidence that **Keith R. Gindlesperger** (“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 was at all material times licensed as an Arizona non-resident insurance producer, National Producer Number 19290259, with lines of authority in life and accident and health or sickness insurance. The Department first licensed Respondent on September 20, 2019. Respondent’s license is scheduled to expire on August 31, 2023.

2. Respondent’s business address of record with the Department is 415 South 48th Street, Tempe, Arizona 85281, and its mailing address of record is 24641 Linda Flora Street Laguna Hills, California 92653-6205. Respondent’s email address of record with the Department is gindlespergerkeith@gmail.com.

3. On or about September 22, 2022, the Department received a complaint from

1 Omaha Life Insurance Company (“Omaha”) alleging that Respondent fraudulently created a
2 life insurance policy for an Arizona consumer.

3 4. The Department commenced an investigation into this matter. The
4 investigation determined the following:

5 a) Respondent electronically signed an Omaha life insurance application and
6 Payment Authorization Form on behalf of T.S. without her knowledge,
7 authorization or consent.

8 b) Respondent had access to T.S.’s personal and banking information from
9 previous interaction during which T.S. inquired with Respondent about
10 “insurance with another carrier, which she did not end up accepting.”

11 c) On or about August 2, 2022, the Department conducted an examination under
12 oath (“EUO”) of Respondent. During the EUO, Respondent stated that he
13 must have had unintentionally signed T.S.’s insurance application “while he
14 was on the phone with her.” Respondent, however, later admitted that he sent
15 the application to his email address and signed it himself.

16 **CONCLUSIONS OF LAW**

17 5. The Director has jurisdiction over this matter.

18 6. Respondent’s conduct, as described above, constitutes having admitted or
19 been found to have committed any insurance unfair trade practice or fraud. A.R.S. § 20-
20 295(A)(7).

21 7. Respondent’s conduct, as described above, constitutes using fraudulent,
22 coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or

1 financial irresponsibility in the conduct of business in this state or elsewhere. A.R.S. § 20-
2 295(A)(8).

3 8. Respondent's conduct, as described above, constitutes forging another's name
4 to any document related to an insurance transaction. A.R.S. § 20-295(A)(10).

5 9. The Director may deny, suspend for not more than twelve (12) months, revoke
6 or refuse to renew an insurance producer's license for any one or more violations of A.R.S.
7 § 20-295(A).

8 **ORDER**

9 **IT IS HEREBY ORDERED THAT:**

10 Keith R. Gindlesperger's Arizona resident insurance producer license, number
11 19290259, is **suspended** for sixty (60) days following the effective date of this Order.

12 Effective this 21 day of November, 2022.

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Evan G. Daniels, Director
Arizona Department of Insurance and Financial Institutions

CONSENT TO ORDER

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

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

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

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

5. Respondent acknowledges and agrees that failure to correct the violations set forth above in this Consent Order, or any repeat findings of the above violations in the

1 future, can result in disciplinary action which may include a greater civil money penalty and
2 suspension or revocation of its license.

3 6. Respondent waives all rights to seek an administrative or judicial review or
4 otherwise to challenge or contest the validity of this Consent Order and its accompanying
5 parts before any court of competent jurisdiction.

6 7. Respondent acknowledges that this Consent Order is an administrative action
7 that the Department will report to the National Association of Insurance Commissioners
8 (NAIC). Respondent further acknowledges that it must report this administrative action to
9 any and all states in which Respondent holds an insurance license and must disclose this
10 administrative action on any license application.

11
12 11.16.22
13 DATE

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KEITH R. GINDLESPERGER
(NATIONAL PRODUCER NO. 19290259)

1 **COPY** of the foregoing delivered via email
this 21st day of November, 2022, to:

2 Keith R. Gindlesperger
3 24641 Linda Flora Street
4 Laguna Hills, CA 92653-6205
5 gindlespergerkeith@gmail.com
6 Respondent

7 **COPY** of the foregoing delivered/mailed same date, to:

8 Deian Ousounov, Assistant Director
9 Gio Espinosa, Regulatory Legal Affairs Officer
10 Ana Starcevic, Paralegal Project Specialist
11 Cathy O'Neil, Consumer Regulatory Affairs Officer
12 Steven Fromholtz, Division Manager, Licensing
13 Linda Lutz, Legal Assistant, Licensing
14 Aqueelah Currie, Licensing Supervisor
15 Michael Vukson, Investigator
16 Arizona Department of Insurance and Financial Institutions
17 100 North 15th Avenue, Suite 261
18 Phoenix, Arizona 85007-2630

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