

STATE OF ARIZONA
Department of Insurance and Financial Institutions
FILED January 5, 2024 by AS

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STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of an Appeal by:

No. 23A-100 - INS

LUNA, MARTIN

CONSENT ORDER

Petitioner.

The Arizona Department of Insurance and Financial Institutions (“Department”) has received evidence that Martin Luna (“Petitioner”) violated provisions of Arizona Revised Statutes (“A.R.S.”) Title 20. Petitioner 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. On or about October 13, 2023, Petitioner submitted an application to the Department for an Arizona insurance producer license through the National Insurance Producer Registry (the “Application”).

2. While completing the Application, under Background Questions, Petitioner answered “No” to the following question, quoted in part, “[h]ave you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?”

3. Petitioner answered “Yes” to the Attestation section of the Application.

1 than \$2,500.00 for each intentional failure or violation, up to an aggregate civil penalty of
2 \$15,000.00. A.R.S. § 20-295(F).

3 **ORDER**

4 **IT IS HEREBY ORDERED THAT:**

5 Martin Luna shall immediately pay to the Department a civil money penalty in the
6 amount of one hundred fifty dollars (\$150.00).

7
8 Effective this 5th day of January, 2023.

9 *Barbara D. Richardson*

10 _____
11 Barbara D. Richardson
12 Cabinet Executive Officer
13 Executive Deputy Director
14 Arizona Department of Insurance and Financial Institutions
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CONSENT TO ORDER

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1. Petitioner 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. Petitioner accepts the personal and subject matter jurisdiction of the Department over it in this matter.

3. Petitioner 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. Petitioner 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 Petitioner, including but not limited to violations of Arizona's Consumer Fraud Act. Petitioner 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 Petitioner.

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

11
12 12/29/23
DATE

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MARTIN LUNA

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1 **COPY** of the foregoing delivered via email
2 this 8th day of January, 2024, to:

3 Martin Luna
4 Mluna2013@gmail.com
5 Petitioner

6 **COPY** of the foregoing delivered/emailed same date, to:

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

16 *Ana Starcevic*
17 _____