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I.S.B. No. 5468

**FILED** *aj*

**JAN 05 2009**

**Department of Insurance  
State of Idaho**

Attorneys for Department of Insurance

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**

**STATE OF IDAHO**

In the Matter of: )  
 )  
 PATRICIA L. ORTIZ )  
 Non-Resident Producer )  
 License No. 137363 )  
 )  
 )  
 \_\_\_\_\_ )

Docket No. 18-2508-08

**ORDER OF REVOCATION**

WHEREAS, Patricia L. Ortiz (“Ortiz”), is a duly licensed non-resident producer in the state of Idaho, holding producer license No.137363 and is therefore subject to the provisions of Title 41, Idaho Code, and to the rules of the Idaho Department of Insurance (“Department”) promulgated thereunder; and

WHEREAS, on or about July 31, 2008, the Department received notification from Travelers Indemnity Company (“Travelers”) that Travelers had terminated all agent agreements with Ortiz due to Ortiz’s criminal conviction of felony theft on or about July 27, 2008; and

WHEREAS, on or about August 5, 2008, the Department received from Travelers the Indictment and the Conditions of Community Supervision regarding Ortiz's conviction; and

WHEREAS, on or about August 12, 2008, the Department sent a letter via certified mail to Ortiz requesting an explanation for her failure to report the criminal conviction; and

WHEREAS, the letter dated August 12, 2008 from the Department to Ortiz was returned to the Department as unclaimed; and

WHEREAS, on or about October 3, 2008, the Department sent another letter via certified mail to Ortiz requesting a response to the August 12, 2008 letter; and

WHEREAS, the letter dated October 3, 2008 from the Department to Ortiz was returned to the Department as unclaimed; and

WHEREAS, that on December 5, 2008, a Verified Notice of Violation and Right to Hearing ("Notice") was provided to Ortiz via first class U.S. Mail and via certified mail, said notice is on file herein; and

WHEREAS, Ortiz was given notice therein of the alleged violations and the right to hearing on the above entitled matter within twenty-one (21) days of the date of the issue of the Notice; and

WHEREAS, the Department has received no notice or request, orally or in writing, from Ortiz making a request for hearing as notified herein and to answer to the allegations set forth in said Notice; and

WHEREAS, based upon the foregoing, the undersigned director finds and concludes that Ortiz violated Idaho Code §§ 41-247; 41-1021(2) and 41-1016(1)(b), (f);

NOW, THEREFORE, UPON REVIEW OF THE PREMISES AND THE RECORD HEREIN, IT IS HEREBY ORDERED AS FOLLOWS:

IT IS ORDERED THAT the non-resident producer license of Patricia L. Ortiz is hereby revoked pursuant to Idaho Code § 41-1016(1) and Patricia L. Ortiz is hereby ORDERED to return non-resident producer license number 137363 to the Idaho Department of Insurance at 700 West State St., 3<sup>rd</sup> Floor, Boise, Idaho 83720 upon receipt of this executed order pursuant to Idaho Code § 41-1027. This order becomes final upon fourteen (14) days after service unless a motion for reconsideration is filed with the director as set forth below.

### **NOTIFICATION OF RIGHTS**

This constitutes a final order of the agency. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Idaho Code § 67-5246(4).


Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order may appeal it by filing a petition for judicial review in the district court of the county in which: (1) the hearing was held; or (2) the final agency action was taken; or (3) the aggrieved party resides or operates their principal place of business in Idaho; or (4) the real property or personal property that was the subject of the agency decision is located.

An appeal must be filed within twenty-eight (28) days of: (a) the service date of this final order, or (b) an order denying a petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Idaho Code § 67-5273.

The filing of a petition for judicial review to the district court does not itself stay the effectiveness or enforcement of the order under appeal.

IT IS SO ORDERED.

DATED this 5<sup>th</sup> day of January 2009.

  
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WILLIAM W. DEAL, Director  
Idaho Department of Insurance

**CERTIFICATE OF SERVICE**

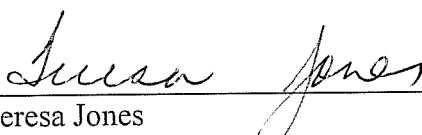
I HEREBY CERTIFY that I have on this 5<sup>th</sup> day of January 2009, caused a true and correct copy of the foregoing document to be served upon the following by the designated means:

Patricia L. Ortiz  
123 B Oakland St.  
Baytown, TX 77520-1136

- first class mail
- certified mail
- hand delivery
- via facsimile

Mitchell E. Toryanski  
Deputy Attorney General  
Idaho Department of Insurance  
700 W. State St. 3<sup>rd</sup> Floor  
Boise, ID 83720-0043

- first class mail
- certified mail
- hand delivery
- via facsimile

  
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Teresa Jones  
Assistant to the Director