



State of Washington
Office of the Insurance Commissioner
Hearings Unit
P.O. Box 41145
Olympia WA 98504-0255
5000 Capitol Boulevard
Tumwater, WA 98501
(360) 725-7002 FAX (360) 664-2782
HearingsU@olc.wa.gov

Demand for Hearing

FILED

Please type or print in ink. Attach a copy of the Order or correspondence in dispute and all documents supporting your demand. This Demand for Hearing can be mailed, faxed, hand-delivered or emailed to the Hearings Unit at the address above. For LIC Demands, please provide contact information for all other interested parties and their representatives.

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1 Requesting Party (required information)		HEARINGS UNIT	
Name/Business Name Jolyn Hohnstein		OIC Case/Order No. OFFICE OF INSURANCE COMMISSIONER 849396/17-0297	
Street Address 31224 Leo Hill Rd		City, State, Zip Auburn WA 98092	
Telephone Number 206.708.5107	Fax Number 866.528.8872		
Contact Person Jolyn Hohnstein	Telephone Number 206.708.5107	Email Address jolyn@thesavingsdiva.com	

2 Authorized Representative/Attorney for Requesting Party			
Last Name TBD	First	M.I.	
Business Name			
Street Address			City, State, Zip
Telephone Number	Fax Number	Email Address	

3 Subject Matter of Demand for Hearing			
<input checked="" type="checkbox"/> Revocation or Denial of License	<input type="checkbox"/> Revocation or Denial Certificate of Authority or Registration	<input type="checkbox"/> Cease and Desist Order	
<input type="checkbox"/> Imposition of Fine/Consent Order	<input type="checkbox"/> Other _____		

4 Additional Parties/Representatives (for more parties and/or representatives, please attach additional pages)			
Last Name	First	M.I.	
Business Name			
Street Address			City, State, Zip
Telephone Number	Fax Number	Email Address	

5 Issues and Arguments

a. **Issues** – Briefly describe each issue or area of dispute that you wish us to consider. Attach additional pages if necessary.

There were never any funds from me to pay anything towards the car repair. William Atwater and I were friends at the time. And from what I understand, it was not William (TJ) Atwater who filed the complaint but it was his on again and off again fiance who was demanding this refund in his name and she was not the insured. I was terminated by Primerica only because of this investigation and I have in writing that when this issue was resolved, they would hire me back. Revoking my license would give me much financial burden because this is my livelihood. I also have plenty of witnesses (co workers and clients) who will be willing to testify or write testimonies my behalf. Therefore I am requesting a hearing.


b. **Arguments** – Explain why each issue or area of dispute listed above should be decided in your favor. Attach additional pages if necessary. To the extent known, cite applicable rules, statutes, or cases in support of your arguments. Enclose copies of documents

I am in the process of obtaining counsel for this matter. Specifically, on line 3, both consumers did want to be representatives because at the time they needed to make more money. At the time, the female consumer Rachel Abner, stated that she worked for another insurance company previously and didn't get paid much for her work in the insurance company and when she saw the potential income she could make part time, she was definitely interested. At that time as well, she had many financial obligations but when I did a free Financial Needs Analysis for her, it resulted in surplus of \$500/month even after paying her financial obligations. Against my advice, she still filed bankruptcy so that she did not have to pay those obligations even though she had the means to. Mr. Atwater and Ms. Abner willfully gave me and the the writing representative for Primerica all of their personal information including birthdays, social security numbers, bank info, etc. for the both the life insurance application and the representative application.

6 Signature

Either the Requesting Party or the Attorney/Representative can sign this Demand for Hearing. However, if the Representative is submitting the Demand, contact information for the Requesting Party must be provided under Section 1 above and the Attorney/Representative's contact information must be provided in Section 2.

Requesting Party:



Signature
Jolyn Hohnstein

Name (please print or type)

SEPTEMBER 29, 2017 9/29/17

Date

Title

Authorized Representative:

Signature

Name (please print or type)

Date

Title

STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER

In The Matter of

JOLYN M. HOHNSTEIN,

Licensee.

ORDER NO. 17-0297

WAOIC NO. 849396
NPN 17136942

ORDER REVOKING LICENSE

To: Jolyn M. Hohnstein
31224 Lea Hill Rd
Auburn, WA 98092
jolyn@thesavingsdiva.com
jolyn@nwmerchantservices.com

IT IS ORDERED AND YOU ARE HEREBY NOTIFIED that your Washington State insurance producer license is **REVOKED**, effective **October 3, 2017**, pursuant to RCW 48.17.530.

BASIS:

1. Jolyn M. Hohnstein (the "Licensee") is a Washington resident insurance producer, WAOIC No. 849396, first licensed in Washington on December 12, 2013.
2. On October 19, 2016, the Insurance Commissioner received a complaint from two (2) Washington consumers who alleged that the Licensee took their personal information and signed one of them up for a Primerica life insurance policy without his knowledge, resulting in a total of \$733 in premium being withdrawn from his account over an eight (8) month period.
3. The Insurance Commissioner's Investigations Unit ("Investigations") interviewed both consumers, who attested to meeting with the Licensee in January, 2016, to discuss becoming representatives with Primerica Life Insurance Company ("Primerica"). Both consumers told the Licensee that they were not interested in becoming representatives with Primerica. The Licensee

ORDER REVOKING LICENSE
ORDER NO. 17-0297

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requested personal information to be put in the Primerica system in the event that either consumer decided to become representatives in the future. The Licensee had one consumer fill out an application for a quote for life insurance. He believes that is how she obtained his signature to sign him up for the life insurance policy.

4. The affected consumer stated that he never agreed to purchase a life insurance policy from the Licensee. He confirmed that the Licensee used his credit card information that she received from him for business unrelated to insurance. The consumer said the Licensee used that information to purchase the Primerica life insurance policy without his knowledge or permission.

5. In February 2016, \$73.33 started being withdrawn from the consumer's account. From the time of the initial withdrawal, he was in contact with the Licensee. She told him multiple times, that he would be getting a refund. After approximately eight (8) months of working with the Licensee to obtain a refund, the two consumers contacted Primerica and found out that one of them had been paying for life insurance with Primerica.

6. In a signed declaration from the Licensee, she stated she thought that if the policy was not delivered to the consumer, it would be automatically cancelled. The Licensee found out later that she needed to return the policy to Primerica in order for it to be cancelled. In a written response, the Licensee stated "I unintentionally misinformed" the consumer "regarding the refund and the process required to cancel the policy and issue the refund check."

7. The consumer also told the Licensee he needed the money that was being improperly withdrawn from his bank account to get his car fixed. The Licensee sent a text offering to pay \$200 with her credit card toward the consumer's repair bill. The Licensee told Investigations that she found out later she was not allowed to offer money to clients.

8. Primerica received another complaint, filed by a different Washington consumer, in which she alleged that the Licensee signed her up for a life policy that she never requested or signed any paperwork for. That consumer's policy was cancelled by Primerica.

9. Investigations also obtained a signed declaration from another Washington consumer who stated she agreed to purchase a life insurance policy from the Licensee in 2016, but that the Licensee failed to delay submitting the policy as agreed, and the premium was withdrawn early. This resulted in the consumer's bank account being overdrawn. The consumer

stated that the Licensee paid the \$50 premium and \$30 overdraft fee back to her account. In her declaration, she stated "I was supposed to pay Hohnstein back when I received the refund but have not had any contact with Hohnstein since." In an interview with Investigations, the Licensee denied paying \$80 to this consumer.

10. Investigations learned after this case was initiated that the Licensee's appointment with Primerica was terminated for cause because she may have completed insurance applications for clients without their approval, failed to cancel an application, and may have submitted applications that contained incomplete information.

11. RCW 48.17.530(1)(b) allows the Insurance Commissioner to place on probation, suspend, revoke, or refuse to issue or renew, an insurance producer's license, or to levy a civil penalty in accordance with RCW 48.17.560 for violating any insurance laws, or violating any rule, subpoena, or order of the Insurance Commissioner or of another state's insurance commissioner.

12. RCW 48.17.530(1)(e) allows the Insurance Commissioner to place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license, or to levy a civil penalty in accordance with RCW 48.17.560 for intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance.

13. RCW 48.17.530(1)(h) allows the Insurance Commissioner to place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license, or to levy a civil penalty in accordance with RCW 48.17.560(1) for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in this state or elsewhere.

14. RCW 48.30.090 provides that no person shall make, issue or circulate, or cause to be made, issued or circulated any misrepresentation of the terms of any policy or the benefits or advantages promised thereby, or the dividends or share of surplus to be received thereon, or use any name or title of any policy or class of policies misrepresenting the nature thereof.

15. RCW 48.30.140(1) provides that no insurance producer, as an inducement to insurance, or after insurance has been effected, directly or indirectly, offer, promise, allow, give, set off, or pay to the insured or to any employee of the insured, any rebate, discount, abatement, or reduction of premium or any part thereof named in any insurance contract, or any commission

thereon, or earnings, profits, dividends, or other benefit, or any other valuable consideration or inducement whatsoever which is not expressly provided for in the policy.

16. By submitting applications for life insurance policies without the knowledge or consent of consumers, and by failing to diligently pursue a refund request by a consumer due to cancellation with the insurer, the Licensee violated RCW 48.17.530(1)(e), RCW 48.17.530(1)(h), and RCW 48.30.090. By offering to pay \$200 towards a consumer's car repair, and by paying a \$50.00 premium payment and a \$30.00 overdraft bank fee for a consumer, the Licensee violated RCW 48.30.140(1).

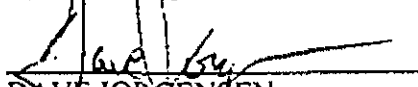
17. The multiple violations as described above justify the revocation of the Licensee's license per RCW 48.17.530(1).

ENTERED at Tumwater, Washington, this 18th day of September, 2017.



MIKE KREIDLER
Insurance Commissioner

By and through his designee



DAVE JORGENSEN
Insurance Enforcement Specialist
Legal Affairs Division

NOTICE OF YOUR RIGHT TO A HEARING

If you are aggrieved by this Order Revoking License, you may demand a hearing in accordance with RCW 48.04.010, WAC 284-02-070, and WAC 10-08-110. Generally a hearing demand must be in writing and received within ninety (90) days after the date of this Order Revoking License, which is the day it was mailed to you, or you will waive your right to a hearing.

If the Insurance Commissioner receives your demand for a hearing before the effective date listed on the order revoking your license, the revocation will be automatically stayed (postponed) and your license will remain in effect pending the hearing.

You may fill out a demand for hearing form online at the following location:
www.insurance.wa.gov/laws-rules/administrative-hearings/how-to-file/

Alternatively, if you choose to file by mail, your demand for hearing must briefly state how you are harmed by this decision and why you disagree with it, along with contact information (phone number, mailing address, e-mail address, etc.) for yourself and any representative that appears on your behalf. The demand may be sent to the following address:

Hearings Unit
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

You will be notified of the time and place of your hearing. If you have questions about filing a demand for hearing or the hearing process, please telephone the Hearings Unit at (360) 725-7002, or send an email to HearingsU@oic.wa.gov.

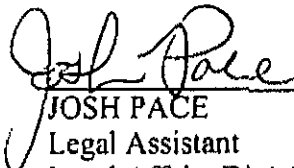
CERTIFICATE OF MAILING

The undersigned certifies under the penalty of perjury under the laws of the state of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served the foregoing Order Revoking License on the following individual by email and by depositing in the U.S. mail via state Consolidated Mail Service with proper postage affixed:

Jolyn M. Hohnstein
31224 Lea Hill Rd
Auburn, WA 98092
jolyn@thesavingsdiva.com
jolyn@nwmerchantservices.com

Dated this 18th day of September, 2017, in Tumwater, Washington.



JOSH PACE
Legal Assistant
Legal Affairs Division