

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

DEC 21 2023

FILED

|                           |   |                       |
|---------------------------|---|-----------------------|
| STATE OF NEBRASKA         | ) |                       |
| DEPARTMENT OF INSURANCE,  | ) |                       |
|                           | ) |                       |
| PETITIONER,               | ) | FINDINGS OF FACT,     |
|                           | ) | CONCLUSIONS OF LAW,   |
|                           | ) | RECOMMENDED ORDER AND |
|                           | ) | ORDER                 |
| VS.                       | ) |                       |
|                           | ) | CAUSE NO. A-2342      |
| Tiffany Scott,            | ) |                       |
| (NAIC Producer #20109324) | ) |                       |
|                           | ) |                       |
|                           | ) |                       |
|                           | ) |                       |
| RESPONDENT.               | ) |                       |

This matter came up for hearing on December 19, 2023, before Michael W. Anderson, a hearing officer duly appointed by the Director of the Nebraska Department of Insurance. The Nebraska Department of Insurance ("Department") was represented by its counsel, Cheryl Wolff. Tiffany Scott ("Respondent") was not present and was not represented by counsel. The proceedings were recorded by Shelly Storie, a licensed Notary Public. The Department presented evidence at the hearing and the matter was taken under advisement. The hearing officer makes the following Findings of Fact, Conclusions of Law, and Recommended Order:

FINDINGS OF FACT

1. The Department is the agency of the State of Nebraska charged with licensing Insurance Producers.
2. Respondent currently holds a resident insurance producer's license in the State of Nebraska. Respondent's registered mailing address with the Nebraska Department of Insurance is 1001 E 62ND AVE UNIT 1878, DENVER, Colorado 80216-1271, her registered business address is 1855 TELSTAR DR, COLORADO SPRINGS,

Colorado 80920-1005, and her residential address is 6185 WILD TURKEY DR, COLORADO SPRINGS, Colorado 80925-1386. (See Ex. 1, Attachment 1).

3. On or about April 12, 2023, Petitioner's Office received a notice dated April 10, 2023, from United Services Automobile Association ("USAA") that the Respondent was terminated effective March 13, 2023, by United Services Automobile Association, USAA Casualty Insurance Company, USAA General Indemnity Company, and USAA Garrison Property & Casualty Insurance Company after the company denied a claim for valuable personal property made on her USAA policy in Colorado for misrepresentation and concealing material facts related to the loss. (See Ex. 1, Attachment 2).

4. On or about April 26, 2023, the Petitioner sent a letter to USAA requesting additional details of the situation. The information subsequently received from USAA stated two claims were made by the Respondent. One claim was for the loss of insured personal property and the second was for the theft of the same property. The same proof of ownership was filed for each claim showing it was the same property. (See Ex. 2, Attachment 1).

5. On or about April 26, 2023, the Petitioner sent a letter to Respondent's residential and mailing addresses requesting a response to the circumstances of her termination of employment within 15 business days. No response was received from Respondent. (See Ex. 2, Attachment 2).

6. On May 25, 2023, the Petitioner's Office sent the Respondent a second letter by certified mail, return receipt requested to Respondent's Business and Mailing addresses, which included a copy of the letter sent on April 26, 2023. (See Ex. 2, Attachment 3).

7. On or about April 12, 2023, the Petitioner also searched the National Insurance Producer Registry ("NIPR") Attachments Warehouse and discovered criminal records that show that on August 18, 2022, the State of Colorado entered a deferred

sentence for two years on a guilty plea for First Degree Criminal Trespass, a felony. The Respondent did not notify the Petitioner of these charges within thirty days (30), of the date of arraignment or date of waiver of arraignment and failed to provide a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents. (See Ex. 1, Attachment 3).

8. On or about April 12, 2023, the Petitioner also searched the Regulatory Information Retrieval System (RIRS) and found an administrative action in the State of Louisiana revoking the Respondent's non-resident Insurance License effective April 5, 2023. Respondent did not notify the Petitioner of the revocation of her nonresident license by the State of Louisiana within 30 days of the of the final disposition of the matter and failed to provide a copy of the order or other relevant legal documents. (See Ex. 1, Attachments 4 & 5).

9. Petitioner searched the Regulatory Information Retrieval System (RIRS) and found two additional administrative actions reported against the Respondent. (See Ex. 1, Attachment 4).

a. The State of Indiana suspended her nonresident license effective June 29, 2023. (See Ex. 1, Attachment 6)

b. The State of Connecticut revoked her nonresident license effective July 11, 2023. (See Ex. 1, Attachment 7)

10. Respondent did not notify the Petitioner of either her Indiana nonresident license suspension or her Connecticut license revocation within 30 days of the final disposition of the matter and failed to provide a copy of the order or other relevant legal documents for either action. (See Ex. 1)

11. As of today, Respondent still has failed to provide the notice to the Petitioner of the final actions revoking her license by the States of Louisiana and Connecticut or the suspension of her license by the State of Indiana and has failed to respond to any written inquiry from the Department. (See Ex. 1 & 2)

### CONCLUSIONS OF LAW

1. The Department has broad jurisdiction, control, and discretion over the licensing of insurance producers in the State of Nebraska pursuant to Neb. Rev. Stat. §§ 44-101.01 and 44-4047 et seq.

2. The Department has personal jurisdiction over Respondent.

3. Pursuant to Neb. Rev. Stat. § 44-4059(1), the Director may suspend, revoke, or refuse to issue or renew an insurance producer's license or may levy an administrative fine against an insurance producer's license if it is found that the producer has violated any insurance law.

4. Respondent violated Neb. Rev. Stat. §§ 44-1524 (1), 44-1525 (11), 44-4059(1) (b), 44-4059(1)(g), 44-4059(1)(h), 44-4059(1)(i), 44-4065(1) and 44-4065(3), as a result of the conduct found in paragraphs 1-11 in the Findings of Fact and as evidenced by the relevant exhibits received.

### DISCUSSION

At the hearing, the Department presented sufficient evidence of proper service of notice of these proceedings upon Respondent. The Department served Respondent via certified mail, return receipt requested and regular U.S. mail to the Respondent's registered addresses. The Department also provided a Domestic Return Receipt for the notice filings, which confirm delivery to the Respondent. Based upon the evidence of record, the Department's service of the petition and notice of hearing upon Respondent at its mailing

address was sufficient and jurisdiction over the actions of the Respondent in this matter has been established.

The uncontested evidence shows that Respondent failed to respond to a written request from the Department of Insurance to provide information concerning Respondent's Termination for Cause, and that Respondent failed to report both criminal and regulatory actions to Petitioner's Office within 30 days.

These actions constitute violations of Neb. Rev. Stat. §§ 44-1524 (1), 44-1525 (11), 44-4059(1) (b), 44-4059(1)(g), 44-4059(1)(h), 44-4059(1)(i), 44-4065(1) and 44-4065(3).

#### RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent's non-resident insurance producer's license be revoked. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling Respondent or the Department of Insurance to make application for such orders as may be necessary.

Dated this 21 day of December, 2023.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE



---

Michael W. Anderson  
Hearing Officer

CERTIFICATE OF ADOPTION

I have reviewed the foregoing Findings of Fact, Conclusions of Law, and Recommended Order and hereby certify that the Recommended Order is adopted as the official and final Order of this Department in the matter of State of Nebraska, Department of Insurance vs. Tiffany Scott (NAIC Producer #20109324), Cause No. A-2342.

Dated this 21<sup>st</sup> day of December, 2023.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE



---

Eric Dunning  
Director of Insurance

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Findings of Fact, Conclusions of Law, Recommended Order, and Order was served upon Respondent by mailing a copy to her registered mailing address of 1001 E 62ND AVE UNIT 1878, DENVER, Colorado 80216-1271, her registered business address of 1855 TELSTAR DR, COLORADO SPRINGS, Colorado 80920-1005, and her residential address of 6185 WILD TURKEY DR, COLORADO SPRINGS, Colorado 80925-1386, by certified mail, return receipt requested, and by regular U.S. mail, on this 21<sup>st</sup> day of December, 2023.



20