

JUL 08 2020

BEFORE THE DEPARTMENT OF INSURANCE STATE OF NEBRASKA

FILED

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	AMENDED
	)	CONSENT ORDER
PETITIONER,	)	
	)	
VS.	)	
	)	
JOSEPH JAROS	)	CAUSE NO. A-2222
(NAIC Producer #8984200),	)	
	)	
RESPONDENT.	)	

In order to resolve this matter, the Nebraska Department of Insurance ("Petitioner"), by and through its attorney, Michael W. Anderson, and Joseph Jaros ("Respondent"), by and through his attorney, Sean Minahan, mutually stipulate and agree as follows:

JURISDICTION

1. Petitioner has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §§ 44.101.01, and 44-4047 to 44-4067.
2. Respondent has been licensed as a resident insurance producer under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. Petitioner initiated this administrative proceeding by filing a Petition captioned State of Nebraska Department of Insurance vs. Joseph Jaros (NAIC National Producer # 8984200), Cause Number A-2222 on June 18, 2020. A copy of the Petition was sent to the Respondent at his registered business address by certified mail, return receipt requested, and by regular U.S. mail. Respondent acknowledges receiving proper Notice of these proceedings.

2. Respondent is alleged to have violated Neb. Rev. Stat. §§ 44-4059(1) (h), and 44-4059 (1) (j) as follows:

IDENTIFIER # 8984200  
AMOUNT \$ 500.00

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DISTRIBUTION # 50219 2947  
CHECK # 1688

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- a. In January 2020, the Department received notice that Burns & Wilcox was planning to terminate Respondent for cause. An internal review discovered that respondent had forged a signature to an application for home insurance for one Roberta Hydock.
- b. A homeowner's policy for Roberta Hydock was issued, with an effective date of October 31, 2019. The application was signed and dated on October 21, 2019, with a signature purporting to be that of Roberta Hydock.
- c. Thereafter, Respondent discovered that Roberta Hydock had passed away and informed Burns & Wilcox to discontinue the policy. Burns & Wilcox confirmed that Roberta Hydock had passed away on April 11, 2019.
- d. Amber Mock, the Underwriting Director for Burns & Wilcox, questioned Respondent about this matter. Respondent admitted to drafting Robert Hydock's signature to ensure Roberta Hydock's homeowners insurance stayed in force after Respondent was unable to communicate with Roberta Hydock prior to the non-renewal of her previous homeowner's insurance policy. The department also requested a response from Respondents in relation to these allegations. Respondent affirmed that he had forged Roberta Hydock's signature to the application. Respondent alleged that in January 2019, Roberta Hydock was in the hospital and requested Respondent promise her that Roberta Hydock's homeowner's policy would stay in effect in light of non-renewal letter from Roberta Hydock's prior insurer. Prior to the non-renewal, Respondent made multiple attempts to contact Respondent through mail and phone messages. Upon the continued request for an insurance binder from Roberta Hydock's mortgage company and the upcoming cancellation of Roberta Hydock's prior insurance policy, Respondent signed the application for Roberta Hydock and bound a new policy in order to prevent lapse in Roberta Hydock's homeowner's

As a result of the investigation, the respondent is not in compliance with the provisions of the Act. The respondent is required to file a petition for reinstatement of license with the Department of Insurance within 30 days of the date of this order. The respondent is also required to pay the reinstatement fee of \$100.00. The respondent is also required to provide proof of financial responsibility to the Department of Insurance.

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**NEBRASKA DEPARTMENT  
OF INSURANCE**

insurance. At the time, neither Respondent nor Roberta Hydock's mortgage company were aware that Roberta Hydock had passed away in April 2019.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes violations of Neb. Rev. Stat. §§ 44-4059(1) (h), and 44-4059 (1) (j), and Respondent is subject to disciplinary action pursuant to Neb. Rev. Stat. §44-4059.

CONSENT ORDER

It is therefore Ordered by the Director of Insurance and agreed by Respondent that:

1. Respondent agrees to pay an administrative penalty of \$500.
2. 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 further orders as may be necessary should Respondent fail to pay the aforementioned penalty.

In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing their signatures below.



\_\_\_\_\_  
Michael W. Anderson, #25671  
Attorney for Petitioner  
1135 M Street, Suite 300  
Lincoln NE 68501  
(402) 471-2201



\_\_\_\_\_  
Joseph Jaros  
Respondent

7/9/2020  
Date

07-06-2020  
Date



State of NEBRASKA )  
County of DOUGLAS ) ss.

On this 6 day of July, 2020, Joseph Jaros personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be his voluntary act and deed.

  
Notary Public



Approve as to form and content:

  
Sean A. Minahan  
Lamson Dugan & Murray LLP  
10306 Regency Parkway Dr.  
Omaha, NE 68114

#### CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Joseph Jaros (NAIC National Producer #8984000), Cause No. A-2222. Dated this 8<sup>th</sup> day of July, 2020.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

  
Bruce R. Ramge  
Director of Insurance

State of Nebraska  
2020

On this day of July, 2020, I, Daniel H. Fitzpatrick, Secretary of the Department of Insurance, have executed the terms and conditions of the attached policy of insurance.

Daniel H. Fitzpatrick  
Secretary of Insurance  
State of Nebraska  
My Comm. Expires Feb. 13, 2024

Approved and sealed  
by the Secretary of Insurance  
Daniel H. Fitzpatrick  
Secretary of Insurance  
State of Nebraska

CERTIFICATE OF ADOPTION

This policy is hereby adopted by the Board of Directors of the Nebraska Department of Insurance, effective July 8, 2020.

Daniel H. Fitzpatrick  
Secretary of Insurance  
State of Nebraska

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OF INSURANCE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consent Order was served upon Respondent by mailing a copy to his home address at 11511 Iowa Circle, Omaha, Nebraska, 68142, by certified mail, return receipt requested, by regular U.S. mail, and via email to his attorney, Sean Minahan at [sminahan@dmlaw.com](mailto:sminahan@dmlaw.com), on this 8<sup>th</sup> day of July, 2020.

Sherry Storio

UNIVERSITY OF NEBRASKA

STATE OF NEBRASKA  
DEPARTMENT OF REVENUE  
DIVISION OF TAXATION  
1000 F STREET, SUITE 100  
LINCOLN, NE 68502  
TEL: 402-471-3000  
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