

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY, & ECONOMIC DEVELOPMENT
DIVISION OF INSURANCE

In the Matter of:)
MASAE FANENE,)
Licensee.)
_____)

Case No. D 12-08

STIPULATED AGREEMENT AND ORDER

The Division of Insurance (division) and Masae Fanene (Ms. Fanene), the licensee in this matter, stipulate and agree to the following:

I. BACKGROUND

A. On or about April 13, 2011, the division issued an individual in a firm insurance producer license to Ms. Fanene, under license number 94241, based on the application that Ms. Fanene submitted to the division on or about April 6, 2011.

B. Question 37(1) of the application asks: "Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?" To this question, Ms. Fanene answered "no."

C. Since Ms. Fanene's application was complete and her answers on the application did not indicate any reason not to issue her a license, the division issued the license.

D. In June 2011, the division received a criminal history report that revealed misdemeanor criminal convictions in 2001 and 2005 against Ms. Fanene. In response to the division's request, Ms. Fanene apologized for not disclosing the misdemeanors and explained

1 that she had found the licensing application process overwhelming at times and that she had
2 forgotten about the convictions. Her previous background checks done by the state each year
3 for nine years that were required for her to be a personal care attendant had only revealed her
4 driving infractions. She provided information to the division regarding the 2001 and 2005
5 convictions, a wrongful use of a controlled substance and a discharge of firearms, respectively.
6 For the discharge of firearms, she was sentenced to 120 hours of community service, fined
7 \$2,000 with \$1,000 suspended, jail time of 90 days with 90 days suspended, and forfeiture of all
8 property seized. All requirements of her convictions have been completed.
9

10
11 II. TERMS OF AGREEMENT

12 1. Ms. Fanene agrees to pay a civil penalty under AS 21.27.440(a) in the
13 amount of \$500, with \$250 suspended. The civil penalty is payable at the time Ms. Fanene is
14 notified that the director has signed the order approving this agreement.
15

16 2. In the event Ms. Fanene violates the insurance code or applicable
17 regulations during the next two years, the suspended portion of the fine referenced in
18 paragraph 1 will be reinstated. Ms. Fanene also will be subject to any and all sanctions
19 authorized by the insurance code including imposition of additional fines or penalties.


20 3. By signing this agreement, Ms. Fanene understands and agrees that any
21 failure to comply with the terms of this agreement may be grounds to revoke, further suspend,
22 or non-renew Alaska insurance license number 94241.
23

24 4. Ms. Fanene understands that this agreement is not binding on the parties
25 unless and until the director signs the order approving the agreement.
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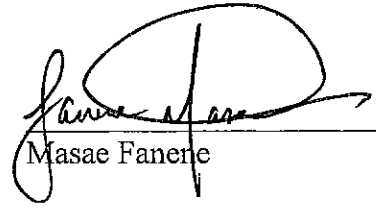
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DATED: 10/4/12

DIVISION OF INSURANCE

By: 
Linda Brunette
Program Coordinator

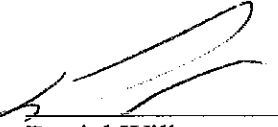
DATED: 9/14/12


Masae Fanere

Approved as to form and content:

DATED: 10/10/12

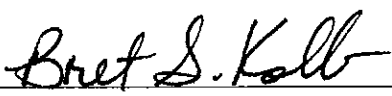
MICHAEL C. GERAGHTY
ATTORNEY GENERAL

By: 
Daniel Wilkerson
Assistant Attorney General

ORDER

IT IS ORDERED that this Stipulated Agreement and Order is adopted in full resolution of the issues in this case, and shall constitute the final order in this matter.

DATED this 10th day of October, 2012.


Bret S. Kolb
Director