

JAN 20 1995

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPARTMENT OF INSURANCE  
By                     

In the Matter of	)	Docket No. 8636
	)	
SHARON LYNN CLARK,	)	ORDER
	)	
Respondent.	)	
_____	)	

On January 18, 1995, a hearing took place in the above-referenced matter. Assistant Attorney General Kathryn Leonard appeared on behalf of the Arizona Department of Insurance ("Department"). Respondent Sharon Lynn Clark ("Ms. Clark") did not appear in person or through counsel.

Based upon the entire record in this matter, including all pleadings, motions, testimony, and exhibits admitted during the hearing of this matter, Administrative Law Judge Gregory Y. Harris has prepared the following Findings of Fact, Conclusions of Law, and Order for consideration and approval by the Director of the Arizona Department of Insurance (the "Director"). The Director adopts and enters the following Findings of Fact, Conclusions of Law and enters the following Order:

FINDINGS OF FACT

1. Ms. Clark received notice of this proceeding, and voluntarily chose not to appear for the hearing in this matter.

2. At all times material to this matter, Ms. Clark held property and casualty insurance broker license number 9847 (the "License") in the State of Arizona. The License expired December 31, 1994. Ms. Clark has not filed an application to renew the License.

1 3. Pursuant to A.R.S. §§20-299 and 20-320, Ms. Clark  
2 had the obligation to maintain in force, while licensed as a  
3 property and casualty broker, a bond in favor of this state  
4 executed by a surety insurer authorized to do business in this  
5 state.

6 4. Until August 30, 1994, Ms. Clark maintained a  
7 bond issued by Western Surety Company (the "Bond") consistent  
8 with the requirements of A.R.S. §§20-299 and 20-320. Effective  
9 August 30, 1994, Western Surety Company cancelled the Bond.

10 5. Ms. Clark has failed to maintain in force the  
11 Bond required by A.R.S. §§20-299 and 20-320.

12 6. Ms. Clark has not transacted insurance after  
13 October, 1993. Further, Ms. Clark has not transacted insurance  
14 after Western Surety Company cancelled the Bond.

15 CONCLUSIONS OF LAW

16 1. Ms. Clark received proper notice of this hearing  
17 pursuant to A.R.S. §§20-163 and 41-1061.

18 2. The Director has jurisdiction over this matter  
19 pursuant to A.R.S. §20-142.

20 3. Ms. Clark's conduct constitutes a wilful  
21 violation of, or wilful noncompliance with, any provision of  
22 A.R.S. Title 20 or any lawful rule, regulation or order of the  
23 Director, within the meaning of A.R.S. §20-316(A)(2).

24 4. Grounds exist for the Director to suspend, revoke  
25 or refuse to renew Ms. Clark's property and casualty broker  
26 license and/or impose a civil penalty upon Ms. Clark, pursuant  
27 to A.R.S. §20-316(A) and (C).

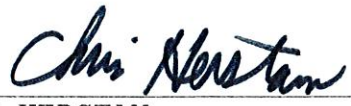
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

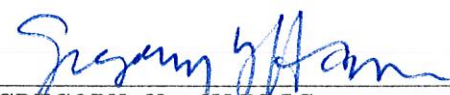
ORDER

IT IS ORDERED that the property and casualty broker license issued to Respondent Sharon Lynn Clark shall not be renewed.

EFFECTIVE this 20th day of January, 1995.



CHRIS HERSTAM  
Director of Insurance



GREGORY Y. HARRIS  
Chief Administrative Law Judge

COPY of the foregoing mailed/delivered this 20th day of January, 1995, to:

Gay Ann Williams, Deputy Director  
Charles R. Cohen, Executive Assistant Director  
John Gagne, Acting Manager, Investigations  
Sandra Yaffi, Investigator  
Department of Insurance  
2910 N. 44th Street, Suite 210  
Phoenix, Arizona 85018

Kathryn Leonard  
Assistant Attorney General  
1275 W. Washington  
Phoenix, Arizona 85007

Sharon Lynn Clark  
7969 W. Elm St.  
Phoenix, Arizona 85033

Western Surety Company  
P.O. Box 5077  
Sioux Falls, SD 57117-5077

  
Chris Crawford