

OCT 19 2006

DEPT OF INSURANCE
BY CS

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

NEIL RUSTY BOND

Petitioner

No. 06A-083-INS

**ORDER DENYING REQUEST
FOR REHEARING**

FINDINGS OF FACT

1. On August 29, 2006, the Office of Administrative Hearings ("OAH"), through Administrative Law Judge ("ALJ") Allen Reed, conducted a hearing on behalf of the Arizona Department of Insurance ("Department") in the above captioned matter.

2. On August 29, 2006, the ALJ issued an Administrative Law Judge Decision ("Decision") received by the Director of the Department of Insurance ("Director") on September 1, 2006.

3. On September 5, 2006, the Director filed an Order in the above captioned matter with the Department. The Director's Order adopted the Decision and revoked Petitioner's insurance producer license.

4. On September 26, 2006, Petitioner filed a Request for Rehearing or Review pursuant to A.R.S. § 41-1092.09 and A.A.C. R20-6-114.

5. On October 11, 2006, the Department filed its Response to Request for Rehearing or Review.

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1 **CONCLUSIONS OF LAW**

2 1. Petitioner timely filed his Request for Rehearing or Review. A.A.C. R20-6-
3 114(A).

4 2. The Department timely filed its Response to Request for Rehearing or
5 Review. A.A.C. R20-6-115.

6 3. A.A.C. R20-6-114(B) authorizes the Director to grant a rehearing or review
7 only if Petitioner establishes one or more of the following grounds which have materially
8 affected Petitioner's rights:

9 1. Irregularity in the hearing proceedings, or any order or abuse of
10 discretion whereby the party seeking rehearing or review was deprived
of a fair hearing;

11 2. Misconduct by the Director, the hearing officer or any party to the
12 hearing;

13 3. Accident or surprise which could not have been prevented by
14 ordinary prudence;

15 4. Newly discovered material evidence which could not have been
discovered with reasonable diligence and produced at the hearing;

16 5. Excessive or insufficient sanctions or penalties imposed;

17 6. Error in the admission or rejection of evidence, or errors of law
18 occurring at the hearing or during the course of the hearing;

19 7. Bias or prejudice of the Director or hearing officer;

20 8. That the order, decision, or findings of fact are not justified by the
21 evidence or are contrary to law.

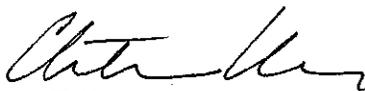
22 4. The Director has reviewed Petitioner's Request for Rehearing or Review and
23 the Department's Response to Request for Rehearing or Review and finds that Petitioner
24 has failed to establish a ground upon which to grant a rehearing or review pursuant to
25 A.A.C. R20-6-114.
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ORDER

1. Petitioner's Request for Rehearing or Review is denied.

DATED this 18th day of October, 2006.


CHRISTINA URIAS, Director
Arizona Department of Insurance

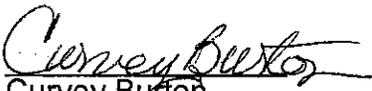
COPY of the foregoing mailed this 19th
day of October, 2006 to:

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Petitioner

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