

MAY 10 2013

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY 

In the Matter of:

NATIONAL BAIL BOND, LLC,

Respondent.

No. 13A-034-INS

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

Hearing: June 4, 2013, 1:00 p.m.

(ALJ Sondra Vanella)

On April 9, 2013, the Arizona Department of Insurance ("Department") issued a Notice of Hearing in the above-captioned matter. A copy of the Notice of Hearing attached and incorporated by this reference. The Notice of Hearing required Respondent to provide a written answer to the allegations set forth in the Notice of Hearing within twenty (20) days of the issuance. The twenty (20) day deadline for the filing of Respondent's answer to the Notice of Hearing elapsed on April 29, 2013. As of this date, Respondent has failed to file an answer to the Notice of Hearing.

On or about May 1, 2013, counsel for the Department filed a Request for Default. As of this date, Respondent has not responded to the Department's request. Pursuant to A.A.C. R20-6-106(D), a party that fails to file an answer within the time provided shall be deemed to be in default and the allegations in the Notice of Hearing may be deemed to be admitted.

FINDINGS OF FACT

1. Notice was proper.
2. Respondent is in default.
3. The allegations in the Notice of Hearing are deemed admitted.

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CONCLUSIONS OF LAW

4. The conduct alleged in the Notice of Hearing constitutes grounds for the Director to deny, suspend or revoke Respondent's non-resident insurance producer's license for the credit, property, and casualty lines of authority to transact insurance in Arizona, pursuant to A.R.S. §20-295(A).

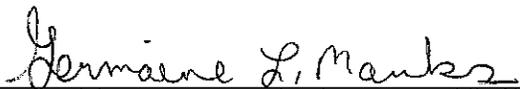
5. The allegations in the Notice of Hearing are deemed admitted.

ORDER

6. Respondent's resident bail bond agent's license is revoked, effective upon the issuance of this Order.

7. The hearing set for June 4, 2013, at 1:00 p.m. before Administrative Law Judge Sondra Vanella shall be vacated.

DATED this 10th day of May, 2013.


GERMAINE L. MARKS, Director
Arizona Department of Insurance

COPY of the foregoing mailed this 10th day of May, 2013 to:

Sondra Vanella, Administrative Law Judge
Office of Administrative Hearings
1400 West Washington, Suite 101
Phoenix, Arizona 85007

Lynette Evans
Assistant Attorney General
1275 West Washington
Phoenix, Arizona 85007

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1 Mary Kosinski, Executive Assistant for Regulatory Affairs
2 Steven Fromholtz, Licensing Director
3 Arizona Department of Insurance
4 2910 North 44th Street, Suite 210
5 Phoenix, Arizona 85018

6 Kenneth Chambers
7 National Bail Bond, LLC
8 330 East Thomas Rd.
9 Phoenix, AZ 85012
10 Respondent

11 National Bail Bond, LLC
12 P.O. Box 6191
13 Peoria, AZ 85385
14 Respondent

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PAD / CPA

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STATE OF ARIZONA
FILED

APR 9 2013

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY [Signature]

In The Matter Of:

NATIONAL BAIL BOND, LLC,
Respondent.

No. 13A-034-INS
NOTICE OF HEARING
(ALJ Sondra Vanella)

PLEASE TAKE NOTICE that pursuant to the provisions of Arizona Revised Statutes ("A.R.S.") §§ 20-161 through and including 20-165 and 41-1092 *et seq.*, the above-captioned matter will be heard before the Director or her duly designated representative, on June 4, 2013 at 1:00 p.m. at the Office of Administrative Hearings, before Administrative Law Judge Sondra Vanella, 1400 West Washington Street, Suite 101, Phoenix, Arizona 85007, telephone number 602-542-9826, (the "Hearing").

Motions to continue this matter shall be made in writing to the Administrative Law Judge not less than fifteen (15) days prior to the date set for the hearing. A copy of any motion to continue shall be mailed or hand-delivered to the opposing party on the same date of filing with the Office of Administrative Hearings.

A.R.S. § 20-164(B) entitles any person affected by this Hearing to appear in person and by counsel, to be present during the giving of all evidence, to have a reasonable opportunity to inspect all documentary evidence, to examine witnesses, to present supporting evidence in support of his interests, and to have subpoenas issued by the Administrative Law Judge to compel attendance of witnesses and production of evidence.

If Respondent is represented by counsel, the attorney shall be licensed to practice law in the State of Arizona or, if applicant is an insurer, it may be represented by a corporate officer, pursuant to A.R.S. § 20-161(B). Pursuant to A.R.S. § 41-1092.07(E), a clear and accurate record of the proceedings will be made by a court reporter or by

1 electronic means. Any party that requests a transcript of the proceeding shall pay the cost
2 of the transcript to the court reporter or other transcriber.

3 Questions concerning issues raised in this Notice of Hearing should be directed to
4 Assistant Attorney General Lynette Evans, telephone number (602) 542-7701, 1275 West
5 Washington Street, Phoenix, Arizona 85007-2926, lynette.evans@azag.gov.

6 NOTICE OF APPLICABLE RULES

7 On January 23, 1992, the Arizona Department of Insurance ("Department") adopted
8 A.A.C. R20-6-101 through R20-6-115, setting forth the rules of practice and procedure
9 applicable in contested cases before the Director of Insurance. The hearing will be
10 conducted pursuant to these rules.

11 Pursuant to A.A.C. R20-6-106, RESPONDENT SHALL FILE A WRITTEN ANSWER
12 WITHIN **20 DAYS** AFTER ISSUANCE OF THIS NOTICE OF HEARING AND SHALL MAIL
13 OR DELIVER A COPY OF THE ANSWER TO THE ASSISTANT ATTORNEY GENERAL
14 DESIGNATED ABOVE. The answer shall state Respondent's position or defense and shall
15 specifically admit or deny each assertion in the notice of hearing. Any assertion not denied
16 shall be deemed to be admitted. Any defense not raised in the answer shall be deemed
17 waived. If an answer is not timely filed, Respondent shall be deemed in default and the
18 Director may deem the allegations are true, and take whatever action is appropriate,
19 including suspension, revocation, denial of a license, or renewal of a license, imposition of
20 a civil penalty and/or order restitution to any party injured.

21 PERSONS WITH DISABILITIES MAY REQUEST REASONABLE
22 ACCOMMODATIONS SUCH AS INTERPRETERS, ALTERNATIVE FORMATS, OR
23 ASSISTANCE WITH PHYSICAL ACCESSIBILITY. Requests for accommodations should
24 be made as early as possible to allow time to arrange the accommodations. If you require
25 accommodations, please contact the Office of Administrative Hearings at (602) 542-9826.

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1 The allegations supporting this Notice of Hearing and Complaint are as follows:

2 1. National Bail Bond, LLC ("National") is an Arizona corporation licensed with
3 the Department as a resident bail bond agent, Arizona license number 995176, which
4 expires on July 31, 2015.

5 2. National's addresses of record are: 330 E. Thomas Rd., Phoenix, Arizona
6 85012 (business) and P.O. Box 6191, Peoria, Arizona 85385 (mailing).

7 3. On or about November 16, 2012, the Department filed a Consent Order in
8 the Matter of Chambers, Kenneth Russell and National Bail Bond, LLC; Docket No. 12A-
9 043-INS ("November 16, 2012 Consent Order"). Paragraph 1 of the November 16, 2012
10 Consent Order revoked Respondent Kenneth Russell Chambers' resident bail bond agent
11 license number 990474, effective immediately upon entry of the November 16, 2012
12 Consent Order. Paragraph 3 of the November 16, 2012 Consent Order required National
13 to remove Respondent Kenneth Russell Chambers from any position as owner,
14 designated producer, member, officer, director, or manager, transfer all ownership in
15 National to a licensed bail bond agent approved by the Department and appoint a new
16 designated responsible licensed producer for National within 30 days of the filing of the
17 November 16, 2012 Consent Order.

18 4. Kenneth Russell Chambers signed the November 16, 2012 Consent Order
19 on behalf of himself and on behalf of National as its Designated Responsible Licensed
20 Producer.

21 5. The Department filed the November 16, 2012 Consent Order on November
22 16, 2012.

23 6. As of this date, Department records still list Kenneth Russell Chambers as
24 the sole Manager and Designated Responsible Licensed Producer for National.

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1 CONCLUSIONS OF LAW

2 1. Respondent's conduct, as alleged above, constitutes violating any provision of
3 Title 20 or any rule, subpoena or order of the director, within the meaning of A.R.S. § 20-
4 295(A)(2) as applied to bail bond agents under A.R.S. § 20-340.06.

5 2. Respondent's conduct, as alleged above, constitutes failure of the business
6 entity to have each owner and shareholder individually licensed as a bail bond agent, in
7 violation of A.R.S. § 20-340.01(C).

8 3. Grounds exist for the Director to suspend, revoke, or refuse to renew
9 Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to
10 A.R.S. § 20-295 (B) and (F) as applied to bail bond agents under A.R.S. § 20-340.06.

11 WHEREFORE, if after hearing, the Director finds one or more of the above-
12 described grounds alleged above, the Director may suspend or revoke Respondent's
13 insurance license, and/or impose a civil penalty, and/or order Respondent to provide
14 restitution pursuant to A.R.S. §§ 20-295 (B) and (F), and 20-340.06.

15 Pursuant to A.R.S. § 20-150, the Director of Insurance delegates the authority
16 vested in the Director of Insurance of the State of Arizona, to the Director of the Office of
17 Administrative Hearings or her designee to preside over the hearing of this matter as the
18 Administrative Law Judge, to make written recommendations to the Director of Insurance
19 consisting of proposed findings of fact, proposed conclusions of law, and a proposed
20 order. This delegation does not include delegation of the authority of the Director of
21 Insurance to make the order on hearing or other final decision in this matter.

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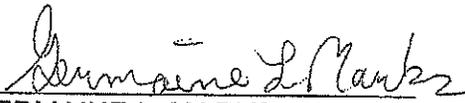
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1 Pursuant to A.R.S. § 41-1092.01, your hearing will be conducted through the Office
2 of Administrative Hearings, an independent agency. Hearing information may be found at
3 the Office of Administrative Hearings website: www.azoah.com.

4 DATED this 4th day of April, 2013.

5 
6 GERMAINE L. MARKS, Director
7 Arizona Department of Insurance

8 COPY of the foregoing mailed this
9 9th day of April, 2013 to:

10 Sondra Vanella, Administrative Law Judge
11 Office of Administrative Hearings
12 1400 West Washington, Suite 101
13 Phoenix, Arizona 85007

14 Mary Kosinski, Executive Assistant for Regulatory Affairs
15 Steven Fromholtz, Licensing Supervisor
16 Department of Insurance
17 2910 North 44th Street, Suite 210
18 Phoenix, Arizona 85018

19 Lynette Evans
20 Assistant Attorney General
21 1275 West Washington Street
22 Phoenix, Arizona 85007-2926
23 Attorney for the Arizona Department of Insurance

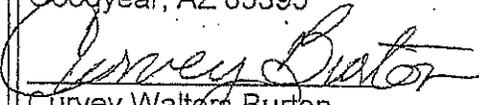
24 AND COPY MAILED SAME DATE by
25 Certified Mail, Return Receipt Requested, to:

26 Kenneth Chambers
National Bail Bond, LLC
330 East Thomas Rd.
Phoenix, AZ 85012
Respondent

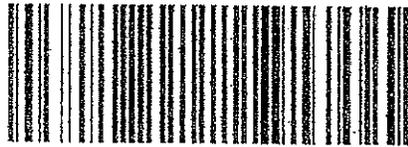
National Bail Bond, LLC
P.O. Box 6191
Peoria, AZ 85385
Respondent

1 Richard Brooks, Esq.
2 National Bail Bond, LLC
3 8849-I South 51st St.
4 Phoenix, AZ 85044
5 Statutory Agent

6 Leslie P. Sparks, Manager
7 National Bail Bond, LLC
8 15336 W. Turney Ave.
9 Goodyear, AZ 85395

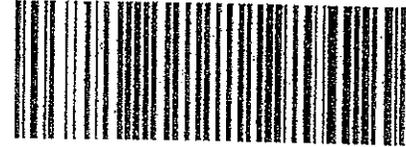
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11 Curvey Walters Burton
12 #3195069

13 PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
14 OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
15 **CERTIFIED MAIL™**



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18 OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
19 **CERTIFIED MAIL™**



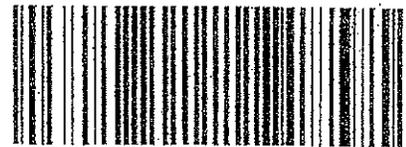
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