

SEP 17 2013

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY 

In the Matter of the Withdrawal of)
)
Residential Insurance Co.)
(NAIC No. 10741))
)
)
Petitioner.)
_____)

Docket No. 13A-090-INS

ORDER

Based upon reliable evidence provided to the Director of Insurance by the Assistant
Director of the Financial Affairs Division of the Arizona Department of Insurance
("Department"), the Director finds as follows:

FINDINGS OF FACT

1. Petitioner is currently licensed in the State of Arizona as a mortgage guaranty insurer.
2. Petitioner surrendered its Certificate of Authority to the Department.
3. Petitioner filed with the Department certified copies of Resolutions of the Petitioner's Board of Directors and the Petitioner's shareholder(s) authorizing Petitioner to withdraw from the insurance business, to amend its articles of incorporation to eliminate its insuring powers, and to adopt a new corporate name which shall not include the word "insurance".
4. Petitioner filed its certified financial statement as of June 28, 2013 with the Department.
5. Petitioner has no outstanding obligations under any policies of insurance, whether written direct or through reinsurance ceded to it, to policyholders or claimants.

1 6. Petitioner has a \$100.00 deposit with the Insurance Examiners' Revolving Fund
2 ("IERF").

3 7. The Department holds a \$525,000 statutory deposit on behalf of the Petitioner.

4 **CONCLUSIONS OF LAW**

5 1. Petitioner has complied with the provisions of A.R.S. § 20-217 and with A.A.C.
6 R20-6-303 relating to the surrender of its Certificate of Authority and its withdrawal from the
7 insurance business.

8 2. Petitioner has complied with the provisions of A.R.S. § 20-588 and with A.A.C.
9 R20-6-303 relating to the release of its \$525,000 statutory deposit.

10 **ORDER**

11 1. Petitioner's request to terminate its Certificate of Authority is granted.

12 2. Petitioner may file its Articles of Amendment to its Articles of Incorporation
13 ("Articles of Amendment") with the Arizona Corporation Commission ("ACC").

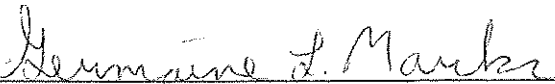
14 3. Petitioner is entitled to the release of its \$525,000 statutory deposit. The
15 Department shall release the Petitioner's statutory deposit after the Department receives the
16 following: (a) an ACC certified copy of Petitioner's ACC filed Articles of Amendment, and (b)
17 payment of any outstanding IERF invoices. The Director has no personal liability for the
18 release of such deposit so made by her in good faith as provided in A.R.S. §20-588(B).

19 4. Petitioner shall file its 2013 Annual Statement with the Department unless it files
20 Articles of Amendment with the ACC on or before December 31, 2013.

21 5. Petitioner shall pay its Certificate of Authority renewal fee to the Department and
22 file its 2013 Annual Form "B" Registration Statement with the Department unless it files
23 Articles of Amendment with the ACC on or before March 31, 2014.

1 6. The Department shall refund to the Petitioner the \$100.00 that was previously
2 credited to the IERF pursuant to A.R.S. § 20-159.

3 Effective this 17th day of September, 2013.

4
5 
6 GERMAINE L. MARKS
7 **Director of Insurance**

7 COPY of the foregoing mailed/delivered
8 this 17th day of September, 2013, to:

9 Terry Roman
10 Snell & Wilmer L.L.P.
11 One Arizona Center
12 Phoenix, Arizona 85004-2202

13 Germaine L. Marks, Director of Insurance
14 Darren Ellingson, Deputy Director
15 Mary Butterfield, Assistant Director
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