

FEB 2 2015

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY MS

In the Matter of the Insurance License of:

No. 14A-105-INS

CORRELL, RANDY DELL
(Arizona License No. 916672)
(National Producer No. 10612813)

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

Respondent.

On December 16, 2014, the Arizona Department of Insurance ("Department") issued a Notice of Hearing ("Notice") in the above-captioned matter, a copy of which is attached as Exhibit A and incorporated by this reference. The Notice required **Randy Dell Correll** ("Correll" or "Respondent") to provide a written answer to the allegations set forth in the Notice within twenty (20) days of the issuance of the Notice. As of this date, Respondent has failed to file an answer. On January 20, 2015, counsel for the Department filed a Request for Default and Proposed Findings of Fact, Conclusions of Law and Order. 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 one or more of 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 are deemed admitted.

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1 **CONCLUSIONS OF LAW**

2 1. The conduct alleged in the Notice constitutes grounds for the Director to
3 suspend, revoke or refuse to renew Respondent's license to transact insurance in Arizona,
4 pursuant to A.R.S. §20-295(A).

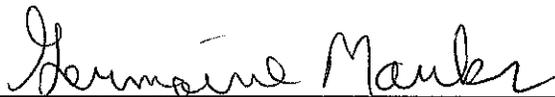
5 **ORDER**

6 IT IS ORDERED:

7 1. The insurance license held by Respondent is revoked effective upon the
8 issuance of this Order.

9 2. The hearing set for **February 11, 2015 at 1:00 p.m.** shall be vacated.

10 DATED this 2nd day of February, 2015.

11 

12 GERMAINE MARKS, Director
13 Arizona Department of Insurance

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16
17 **COPY** of the foregoing electronically filed this
18 2nd day of February, 2015 to:

19 Mike Douglas, Administrative Law Judge
20 Office of Administrative Hearings

21 **COPY** of the foregoing delivered same date to:

22 Darren Ellingson, Deputy Director
23 Mary Kosinski, Executive Assistant for Regulatory Affairs
24 Catherine M. O'Neil, Consumer Legal Affairs Officer
25 Steven Fromholtz, Licensing Supervisor
26 Barbara Beltran, Business Office
Department of Insurance
2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

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COPY of the foregoing emailed same date to:

Liane Kido
Consumer@azag.gov
Attorney for the Arizona Department of Insurance

COPY mailed same date to:

Randy Dell Correll
963 W. Hillview Street
Mesa, Arizona 85201
Respondent

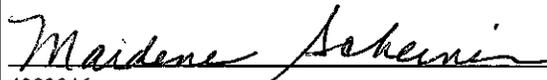

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Exhibit A

STATE OF ARIZONA

DEC 16 2014

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY MS

In the Matter of the Insurance License of:

No. 14A-105-INS

CORRELL, RANDY DELL
(Arizona License No. 916672)
(National Producer No. 10612813),

NOTICE OF HEARING

(ALJ Mike Douglas)

Respondent.

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 of Insurance of the State of Arizona (the "Director") or her duly designated representative, on **February 11, 2015 at 1:00 p.m.** at the Office of Administrative Hearings, before Administrative Law Judge, Mike Douglas, 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

1 corporate officer, pursuant to A.R.S. § 20-161(B). Pursuant to A.R.S. § 41-1092.07(E), a
2 clear and accurate record of the proceedings will be made by a court reporter or by
3 electronic means. Any party that requests a transcript of the proceeding shall pay the cost
4 of the transcript to the court reporter or other transcriber.

5 Questions concerning issues raised in this Notice of Hearing should be directed to
6 Assistant Attorney General Liane Kido, telephone number (602) 542-8011, 1275 West
7 Washington Street, Phoenix, Arizona 85007-2926, Liane.Kido@azag.gov.

8 **NOTICE OF APPLICABLE RULES**

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

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

23 Persons with disabilities may request reasonable accommodations such as
24 interpreters, alternative formats, or assistance with physical accessibility. Requests for
25 accommodations should be made as early as possible to allow time to arrange the
26 accommodations. If you require accommodations, please contact the Office of

1 Administrative Hearings at (602) 542-9826.

2 The allegations supporting this Notice of Hearing are as follows:

3 1. Randy Dell Correll ("Correll" or "Respondent") is, and was at all times material,
4 licensed as a resident bail bond agent, Arizona license number 916672, which expires on
5 April 30, 2016.

6 2. Respondent's addresses of record are: c/o Eazy Bail Bonds, 118 N. Alma
7 School Road, Mesa, Arizona 85201 (business and mailing) and 963 W. Hillview Street,
8 Mesa, Arizona 85201 (residence).

9 3. On or about April 11, 2014, the Maricopa County Superior Court indicted
10 Respondent in the State of Arizona v. Randy Dell Correll, CR2014-115363. On or about
11 June 4, 2014, the Superior Court conducted an Initial Pretrial Conference in CR201-
12 115363.

13 4. Respondent did not notify the Department of the criminal prosecution within
14 thirty days of the Initial Pretrial Conference.

15 **Conclusions of Law**

16 1. The Director has jurisdiction over this matter.

17 2. Respondent's conduct, as described above, constitutes failure to report to the
18 Director, within thirty days of the initial pretrial hearing date, any prosecution of the
19 producer taken in any jurisdiction, within the meaning of A.R.S. § 20-301(B) as applied to
20 bail bond agents pursuant to A.R.S. § 20-340.06.

21 3. Respondent's conduct, as described above, constitutes a violation of Title 20,
22 within the meaning of A.R.S. § 20-295(A)(2) as applied to bail bond agents pursuant to
23 A.R.S. § 20-340.06.

24 4. The director may deny, suspend for not more than twelve months, revoke or
25 refuse to renew an insurance producer's license or may impose a civil penalty in
26 accordance with subsection F of this section or any combination of actions for any one or

1 more of the following causes: (2.) Violating any provision of this title or any rule, subpoena
2 or order of the director within the meaning of A.R.S. §§ 20-295(A)(2), as applied to bail
3 bond agents under A.R.S. § 20-340.06.

4 5. Grounds exist to suspend, revoke, or refuse to renew Respondent's insurance
5 license, impose a civil penalty, and/or order restitution, pursuant to A.R.S. §§ 20-295(A) as
6 applied to bail bond agents under A.R.S. § 20-340.06.

7 WHEREFORE, if after hearing, the Director finds one or more of the above-
8 described grounds alleged above, the Director may deny, suspend or revoke Respondent's
9 insurance producer's license, and/or impose a civil penalty and/or order restitution,
10 pursuant to A.R.S. § 20-295(A) and (B).

11 Pursuant to A.R.S. § 20-150, the Director of Insurance delegates the authority
12 vested in the Director of Insurance of the State of Arizona, to the Director of the Office of
13 Administrative Hearings or his/her designee to preside over the hearing of this matter as
14 the Administrative Law Judge, to make written recommendations to the Director of
15 Insurance consisting of proposed findings of fact, proposed conclusions of law, and a
16 proposed order.

17 This delegation does not include delegation of the authority of the Director of
18 Insurance to make the order on hearing or other final decision in this matter.

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

22 DATED this 15th day of December, 2014.

23
24 
25 Darren Ellingson, Deputy Director
26 Arizona Department of Insurance

1 **E-FILE** of the foregoing delivered electronically
2 this 16th day of December, 2014, to:

3 ALJ Mike Douglas
4 Office of Administrative Hearing

5 **COPY** of the foregoing delivered this
6 16th day of December, 2014 to:

7 Darren Ellingson, Deputy Director
8 Mary Kosinski, Executive Assistant for Regulatory Affairs
9 Steve Fromholtz, Licensing Supervisor
10 Arizona Department of Insurance
11 2910 North 44th Street, Suite 210
12 Phoenix, Arizona 85018

13 **COPY MAILED SAME DATE** by Regular Mail
14 and Certified Mail, Return Receipt Requested, to:

15 Randy Dell Correll
16 963 W. Hillview Street
17 Mesa, Arizona 85201
18 Respondent

19 Randy Dell Correll
20 c/o Eazy Bail Bonds
21 118 N. Alma School Road
22 Mesa, Arizona 85201
23 Respondent

24 **COPY** sent same date via electronic mail to:

25 Liane Kido
26 Assistant Attorney General
Consumer@azag.gov
Attorney for the Department of Insurance

Maidene Scheiner
Maidene Scheiner
4256752



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