

OCT 6 2004

DEPT OF INSURANCE
BY CB

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

S. MARIA JOHNSON,

Respondent.

No. 04A-146-INS

CONSENT ORDER

On September 2, 2004, the State of Arizona, Department of Insurance (the "Department"), issued a Notice of Hearing in the matter of S. Maria Johnson ("Johnson"). Johnson wishes to waive her right to a hearing and resolve this matter. Johnson admits the following Findings of Fact are true and consents to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Johnson is currently and was at all material times licensed as a resident bail bond agent, Arizona License Number 147777. Johnson has been licensed since February 24, 2003, and her license expires on February 28, 2005.
2. On or about February 12, 2003, Safety National Casualty Company ("Safety National") provided a surety bond, Bond Number BAIL 3134 AZ, in the amount of \$10,000.00 for Johnson.
3. On or about April 2, 2003, the Director received correspondence from Safety National indicating that Bail Bond Number BAIL 3431 AZ, posted on behalf of Johnson, was canceled effective 30 days from and after receipt of the notice by certified mail.
4. On or about May 19, 2004, the Director sent a letter to Johnson at her home address of record, advising her that she must replace the bond or have a new bond issued if she wished to maintain her license in good standing. Johnson failed to respond.
5. On or about June 30, 2004, the Department sent a letter to Johnson at her home address of record, via certified mail, return receipt requested. In the letter the Department advised

1 her once again of the cancellation of her bail bond agent bond and asked that she either surrender her
2 license or have a new bond posted. On July 9, 2004, the Department received the return receipt card,
3 indicating that the letter was delivered on July 1, 2004, and was signed for by Johnson. The letter
4 requested that Johnson respond by July 19, 2004. Johnson failed to respond.

5 6. On July 23, 2004, the Department called Johnson's home telephone number of
6 record. A recording indicated the number was not in service or had been assigned to another area
7 code.

8 7. On July 23, 2004, the Department contacted Don's Bail Bonds where Johnson was
9 previously employed. A Don's Better Bail Bonds employee, Jeannie, confirmed that Johnson is no
10 longer employed there.

11 **CONCLUSIONS OF LAW**

12 1. The Director has jurisdiction over this matter.

13 2. Johnson's conduct, as alleged above, constitutes the failure to maintain in force, while
14 licensed, a \$10,000.00 surety bond in favor of this state, in violation of A.R.S. § 20-340.02(A).

15 3. Johnson's conduct, as alleged above, constitutes the failure to inform the Director in
16 writing within thirty days of any change in the licensee's residential or business address, in violation
17 of A.R.S. § 20-286(C)(1).

18 4. Johnson's conduct, as alleged above, constitutes the violation of any provision of
19 Title 20, or any rule, subpoena or order of the Director, in violation of A.R.S. § 20-295(A)(2).

20 5. Grounds exist to suspend, revoke or refuse to renew Johnson's bail bond agent license
21 and/or impose a civil penalty, pursuant to A.R.S. §§ 20-295(A) and (F), applicable to bail bond
22 agents under A.R.S. § 20-340.06.


23 **ORDER**

24 **IT IS ORDERED:**

25 1. The Arizona resident bail bond agent license of Respondent S. Maria Johnson,
26 License, No. 147777, is hereby revoked effective immediately upon entry of this Order.

2. The administrative hearing in this matter, currently scheduled for October 21, 2004, at 1:30 p.m., at the Office of Administrative Hearings, is hereby vacated.

DATED AND EFFECTIVE this 6th day of October, 2004.


Christina Urias, Director
Arizona Department of Insurance

CONSENT TO ORDER

1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.

2. Respondent admits the jurisdiction of the Director of Insurance, State of Arizona, and admits the foregoing Findings of Fact and consent to the entry of the foregoing Conclusions of Law and Order.

3. Respondent is aware of her right to notice and a hearing at which she may be represented by counsel, present evidence and cross-examine witnesses. Respondent irrevocably waives her right to a hearing and to any court appeals relating to this Consent Order.

4. Respondent states that no promise of any kind or nature, except as expressly contained in this Consent Order, was made to her to induce her to enter into this Consent Order, and that she has entered into this Consent Order voluntarily.

5. Respondent acknowledges that the acceptance of this Consent Order by the Director is solely to settle this matter against her and does not preclude any other agency, officer or subdivision of this state from instituting civil or criminal proceedings as may be appropriate now or in the future.

September 27, 2004 S. Maria Johnson
Date S. Maria Johnson

1 COPY of the foregoing mailed this
2 6th of October, 2004, to:

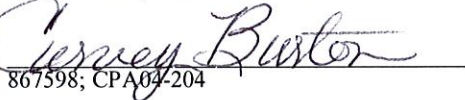
3 Lewis D. Kowal, Administrative Law Judge
4 Office of Administrative Hearings
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