STATE OF ARIZONA FILED

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DEPARTMENT (of Insur <i>i</i>	YNCE
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	In the Matter of:	,
		No. 06A- ₂₁₇ -INS
RANDOLPH & COMPANY BAIL BONDS, INC.		
		CONSENT ORDER
	Respondent.)
	•)

The State of Arizona Department of Insurance ("Department") has received evidence that Randolph & Company Bail Bonds, Inc. ("Respondent") violated provisions of Title 20, Arizona Revised Statutes. Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

- 1. Respondent is, and was at all material times licensed as an Arizona resident bail bond agent, Arizona license number 145821, which license expires January 31, 2007.
- 2. Between July 2005 and October 2006, respondent charged and collected from clients, extra bond fees and bond posting fees labeled as "Travel expenses to local jails".

CONCLUSIONS OF LAW

- 1. The Director has jurisdiction over this matter.
- 2. Respondent's conduct, as described above, constitutes charging prohibited fees within the meaning of A.R.S. §20-340.03(D) and A.A.C. R20-6-601(E)(2).
- 3. Respondent's conduct, as described above, constitutes a violation of Title 20 or any rule within the meaning of A.R.S. § 20-295(A)(2).

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4. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§20-295(A).

ORDER

IT IS HEREBY ORDERED THAT:

- 1. Respondent shall cease and desist from charging prohibited fees.
- 2. Respondent shall pay to the Department a civil penalty in the amount of \$1,500.00 immediately upon entry of this Order for deposit in the State General Fund in accordance with A.R.S. § 20-295(A) & (G).

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Director of Insurance

CONSENT TO ORDER

- Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- Respondent admits the jurisdiction of the Director of Insurance, State of Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing Conclusions of Law and Order.
- 3. Respondent is aware of its right to notice and a hearing at which it may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives its right to such notice and hearing and to any court appeals relating to this Consent Order.

- 4. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to it to induce it to enter into this Consent Order and that it 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 it 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 nor does it preclude the Department from instituting proceedings not related to this matter as may be appropriate now or in the future.
- 6. Ralph Randolph is President of Randolph & Company Bail Bonds, Inc. and as such is authorized to sign this Consent Order on its behalf.

RANDOLPH & COMPANY BAIL BONDS, INC.

Date By: Ralph Randolph, Presiden

COPIES of the foregoing mailed/delivered this 16th day of November, 2006, to:

Randolph & Company Bail Bonds, Inc. 456 W. Main, Suite H Mesa, AZ 85201

Mary E. Kosinski, Exec. Assistant for Reg. Affairs Catherine M. O'Neil, Consumer Legal Affairs Officer Terry Cooper, Assistant Director Steve Fromholtz, Licensing Supervisor Arnold Sniegowski, Investigations Supervisor

Mark Denman, Investigator Department of Insurance 2910 North 44th Street, Suite 210 Phoenix, Arizona 85018

Curvey Walters Burton