

STATE OF ARIZONA
FILED

JUL 14 2011

DEPT OF INSURANCE
BY MS

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In The Matter Of:

LIBERTY BAIL BONDS, LLC
(Arizona License # 882463)

Petitioner.

No. 11A-036-INS

CONSENT ORDER

The State of Arizona Department of Insurance ("Department") has received evidence that **Liberty Bail Bonds, LLC** violated provisions of Title 20, Arizona Revised Statutes. Petitioner 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. Liberty Bail Bonds, LLC ("Liberty") held a license with the Department as a bail bond agent, Arizona license number 882463, which expired on January 31, 2011.
2. The Department sent Liberty a reminder to renew the license ninety days prior to the license expiration date.
3. On March 22, 2011, after the expiration of its license, Liberty filed an Insurance License Renewal Application with the Department.
4. Liberty is not exempt from the licensing requirement.
5. Liberty's addresses of record with the Department are: 1543 W. Grand Ave., Phoenix, Arizona 85007 (business); and P.O. Box 84134, Phoenix, Arizona 85071-7155 (mailing).
6. Dana Lee Schnell ("Schnell") and Kay Dee O'Neal ("O'Neal") are the Designated Responsible Licensed Producers for Liberty. Schnell is licensed with the Department as a bail bond agent, Arizona license number 67761, which expires on May 31,

1 2012. O'Neal is licensed with the Department as a bail bond agent, Arizona license number
2 954212, which expires on November 30, 2012.

3 7. On March 29, 2011, the Department requested copies of Liberty's bail bond
4 logs from February 1, 2011 through March 29, 2011. Liberty supplied a bail bond log entitled
5 "Seneca," which showed that Liberty continued to write bail bonds after the January 31, 2011
6 expiration of its license.

7 8. On March 31, 2011, the Department issued an Order to Cease and Desist
8 ordering Liberty to refrain from unlawfully acting as a bail bond agent.

9 9. On March 31, 2011, the Department also notified Liberty of its refusal to renew
10 its license.

11 10. On April 1, 2011, Liberty timely filed a Notice of Appeal and Request for
12 Hearing.

13 CONCLUSIONS OF LAW

14 1. The Director has jurisdiction over this matter.

15 2. Liberty's conduct, as described above, constitutes violating any provision of
16 Title 20, or any rule, subpoena, or order of the Director, within the meaning of A.R.S. §§ 20-
17 295(A)(2) and 20-340.06.

18 3. Liberty's conduct, as alleged above, constitutes acting as a bail bond agent
19 without being licensed by the Director, in violation of A.R.S. § 20-340.01(A).

20 4. Grounds exist for the Director to suspend, revoke, or refuse to renew Liberty's
21 insurance license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§ 20-
22 295(B), and (F), and 20-340.06.

23 5. Grounds exist to issue a cease and desist order to Liberty, pursuant to A.R.S. §
24 20-292, for acting as a bail bond agent without being licensed, in violation of A.R.S. §20-
25 340.01.

26

ORDER

IT IS HEREBY ORDERED THAT

1. Liberty is assessed a civil penalty in the amount of two thousand five hundred dollars (\$2,500.00) due and payable in one lump sum payment on or before three months from the entry of this Order.

2. The hearing in this matter scheduled for August 3, 2011, is vacated.

3. The Department shall renew Liberty's bail bond license, effective upon the entry of this Order.

DATED AND EFFECTIVE this 13th day of July, 2011.


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 to 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.

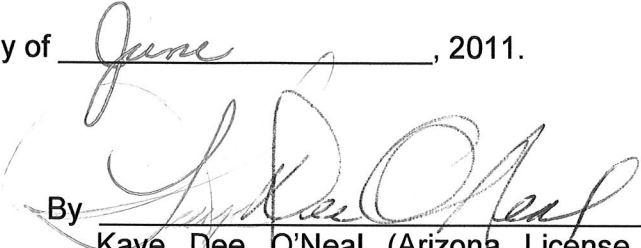
1 5. Respondent acknowledges that the acceptance of this Consent Order by the
2 Director is solely to settle this matter against it and does not preclude any other agency,
3 officer, or subdivision of this state including the Department from instituting civil or criminal
4 proceedings as may be appropriate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

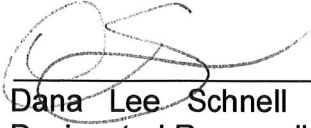
5 6. Respondent acknowledges that this Consent Order is an administrative action
6 that the Department will report to the National Association of Insurance Commissioners
7 (NAIC). Respondent further acknowledges that it must report this administrative action to
8 any and all states in which it holds an insurance license and must disclose this administrative
9 action on any license application.

10 7. Kaye Dee O'Neal represents that she is the Member and a Designated
11 Responsible Licensed Producer for Liberty Bail Bonds, LLC and, as such is authorized to
12 enter this Consent Order on its behalf.

13 8. Dana Lee Schnell represents that he is a Designated Responsible Licensed
14 Producer for Liberty Bail Bonds, LLC and, as such is authorized to enter this Consent Order
15 on its behalf.

16 DATED this 26 day of June, 2011.

17
18
19 By 
20 Kaye Dee O'Neal (Arizona License # 954212)
21 Designated Responsible Licensed Producer and
22 Member

23 By 
24 Dana Lee Schnell (Arizona License # 67761)
25 Designated Responsible Licensed Producer

26 ...
 ...

1 COPY of the foregoing mailed this
2 14th day of July, 2011 to:

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