

JUL 14 2011

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY MS

In the Matter of)

) Docket No. 11A-078-INS

4)
5 **LOPEZ, BENJAMIN**)
(Arizona License # 924279))
6 (National Producer # 11188337))

**ORDER SUMMARILY SUSPENDING
BAIL BOND AGENT LICENSE
AND NOTICE OF OPPORTUNITY
FOR HEARING**

7 Respondent.)
8)

9 The Arizona Department of Insurance (the "Department") alleges that **Benjamin Lopez**
10 has violated provisions of Arizona Revised Statutes ("A.R.S."), Title 20. In light of the serious
11 nature of these allegations, the Director of Insurance for the State of Arizona ("Director") finds
12 that the public health, safety and welfare imperatively require emergency action, within the
13 meaning of A.R.S. §41-1092.11(B).

14 **FINDINGS OF FACT**

- 15 1. Benjamin Lopez ("Respondent") is licensed as a resident bail bond agent,
16 Arizona license number 924279 which expires on May 31, 2012.
- 17 2. Respondent's addresses of record are: 1211 W. Silverlake Rd., Tucson, Arizona
18 85713 (business); c/o Fianzas Oasis Bail Bonds, 1211 W. Silverlake Rd., Tucson, Arizona
19 85713 (mailing); and 1695 S. San Antonio Dr., Tucson, Arizona 85713 (residence).
- 20 3. On January 27, 2011, the insurer holding Respondent's surety bond notified the
21 Department that Respondent's bail agent bond was to be cancelled, effective thirty (30) days
22 after receipt of the notice.

23 601.22.8305

1 4. On February 3, 2011, the Department notified Respondent that the surety
2 holding Respondent's bond was cancelling the bond effective February 27, 2011.

3 5. To date, Respondent has failed to replace the cancelled surety bond.

4 6. Therefore, as of February 27, 2011, Respondent has not maintained a bond in
5 favor of this State executed by a surety insurer authorized to do business in this State.

6 7. The public health, safety and welfare imperatively require emergency action.

7 **CONCLUSIONS OF LAW**

8 1. The Director has jurisdiction.

9 2. Respondent's conduct constitutes a violation of the requirement that each bail
10 bond agent maintain in force while license a bond in favor of this State executed by a surety
11 insurer authorized to do business in this State, within the meaning of A.R.S. § 20-340.02.

12 3. Grounds exist to order a summary suspension within the meaning of A.R.S. §
13 41-1092.11(B).

14 **ORDER**

15 IT IS HEREBY ORDERED THAT:

16 1. Respondent's bail bond agent license, Arizona license number 924279, is
17 summarily suspended effective immediately.

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

19 
20 _____
21 CHRISTINA URIAS
22 Director of Insurance
23

1 **NOTICE OF OPPORTUNITY FOR HEARING**

2 Pursuant to Title 20 of the Arizona Revised Statutes, Respondent is hereby notified
3 that Respondent may request a hearing pursuant to A.R.S. § 20-161 to contest the summary
4 suspension. Such request must be in writing and received at the following address within
5 thirty (30) days from the date hereof:

6 **Arizona Department of Insurance**
7 **2910 North 44th Street, Suite 210**
8 **Phoenix, Arizona 85018-7269**

9 Upon receipt of a timely written request for hearing, the Director will issue an order
10 setting the time and place of the hearing.

11
12 COPY of the foregoing mailed
13 this 14th day of July, 2011, to:

14 Benjamin Lopez
15 c/o Fianzas Oasis Bail Bonds
16 1211 W. Silverlake Rd.
17 Tucson, Arizona 85713
18 Respondent

19 Benjamin Lopez
20 1695 S. San Antonio Dr.
21 Tucson, Arizona 85713
22 Respondent

23 Mary Butterfield, Assistant Director
Mary E. Kosinski, Exec. Asst. – Regulatory Affairs
Steven Fromholtz, Licensing Director
Catherine M. O’Neil, Assistant Director
Dan Ray, Investigations
Arizona Department of Insurance
2910 N. 44th Street, Suite 210
Phoenix, Arizona 85018

Office of the Attorney General
Consumer Protection and Advocacy Section

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Agency Unit
1275 W. Washington
Phoenix, Arizona 85007-2997

Maidene Scheiner
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