

SEP 27 2012

DEPT OF INSURANCE
BY 

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of:)
)
BONDWRITER SOUTHWEST INC)
(Arizona License Number 810641))
and SPARKS, DAVID GLEN)
(Arizona License Number 736439))
(National Producer Number 684339))
 Respondents.)
 _____)

No. 12A- 136- INS

CONSENT ORDER

The State of Arizona Department of Insurance ("Department") has received evidence that **Bondwriter Southwest Inc and David Glen Sparks ("Respondents")** violated provisions of Title 20, Arizona Revised Statutes. Respondents wish to resolve this matter without the commencement of formal proceedings, and admit the following Findings of Fact are true and consent to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Bondwriter Southwest Inc ("Bondwriter") is, and was at all material times, licensed as an Arizona resident casualty and property insurance producer, Arizona license number 810641, which expires on June 30, 2016.

2. Bondwriter's address of record is: 9191 W. Thunderbird Rd. #101, Peoria, Arizona 85381 (business).

3. David Glen Sparks ("Sparks") is, and was at all material times, licensed as an Arizona resident casualty and property insurance producer, Arizona license number 736439, which expires on November 30, 2012.

1 4. Sparks' addresses of record are: c/o Bondwriter Southwest Inc, 9191 W.
2 Thunderbird Rd., #101, Peoria, Arizona 85381 (business); and 4707 N. Litchfield Knoll,
3 Litchfield, Arizona 85340 (mailing and residence).

4 5. Sparks is the President and a Designated Responsible Licensed Producer for
5 Bondwriter.

6 6. On or about February 19, 2007, Bondwriter's Errors and Omissions policy
7 number OPC1100592 with Rockwood Programs, Inc. ("Rockwood") expired. On November
8 29, 2006, Rockwood sent a Notice of Non-Renewal to the Respondents.

9 7. Respondents could not renew the Rockwood Errors and Omissions policy and
10 did not obtain Errors and Omissions with any other carrier.

11 8. On or about August 9, 2009 and again on or about August 6, 2012, Sparks
12 altered and submitted a false Declaration of Insurance with Rockwood to Old Republic Surety
13 Company.

14 **CONCLUSIONS OF LAW**

15 1. The Director has jurisdiction over this matter.

16 2. Respondents' conduct, as described above, constitutes intentionally
17 misrepresenting the terms of an actual or proposed insurance contract or application for
18 insurance, in violation of A.R.S. § 20-295(A)(5).

19 3. Respondents' conduct as described above constitutes using fraudulent, coercive
20 or dishonest practices, or demonstrating incompetence, untrustworthiness or financial
21 irresponsibility in the conduct of business in this state or otherwise, in violation of A.R.S. § 20-
22 295(A)(8)

23 4. Grounds exist for the Director to deny, suspend for not more than twelve months,
24 revoke, or refuse to renew an insurance producer's license, impose a civil penalty and/or order
25 restitution pursuant to A.R.S. §§20-295(A) and (B).

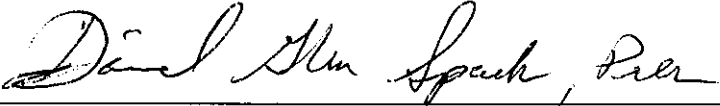
1 5. Respondents acknowledge that the acceptance of this Consent Order by the
2 Director is solely to settle this matter against them and does not preclude any other agency,
3 officer, or subdivision of this state including the Department from instituting civil or criminal
4 proceedings as may be appropriate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

5 6. Respondents acknowledge that this Consent Order is an administrative action
6 that the Department will report to the National Association of Insurance Commissioners (NAIC)
7 and that they may have to report this administrative action on any future licensing applications
8 either to the Department or other states' Departments of Insurance.

9 7. David Glen Sparks represents that he is the President and a Designated
10 Responsible Licensed Producer for Bondwriter Southwest Inc and, as such, is authorized to
11 enter into this Consent Order on its behalf.

Bondwriter Southwest Inc, License # 810641

12
13 9-26-12
Date



David Glen Sparks, President

14
15 9-26-12
Date




David Glen Sparks, Arizona License # 736439

16
17 COPIES of the foregoing mailed/delivered
18 this 27th day of September, 2012, to:

19 David Glen Sparks
20 Bondwriter Southwest Inc
21 9191 W. Thunderbird Rd. #101
22 Peoria, AZ 85381
23 Respondents

Mary Kosinski, Executive Assistant for Regulatory Affairs
Mary Butterfield, Assistant Director, Consumer Affairs Division
Catherine M. O'Neil, Consumer Legal Affairs Officer
Steve Fromholtz, Licensing Supervisor
Charles Gregory, Investigations Supervisor

1 Randy Markham, Investigator
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2 2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

3 
4 Curvey Walters Burton

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