			STATE OF ARIZONA FILED	
			SEP 4 2014	
1	STATE	OF ARIZONA	DEPT OF INSURANCE	
2	DEPARTMEN	T OF INSURANCE	81 martin factor	
3	In the Matter of:	No. 14A- <u>095</u> -INS		
4	BLACK DOG BAIL BONDS, LLC (Arizona License Number 952925)	CONSENT ORDER		
5	and ROSENTHAL, STACIE LYNNE (Arizona License Number 951163) (National Producer Number 15018839)	CONSENTORDER		
6				
7	Respondents.			
8	The State of Arizona Department of	Insurance ("Departmer	nt") has received	
9	evidence that Black Dog Bail Bonds, LLC a	<b>、</b> ,		
10	violated provisions of Title 20, Arizona Revise	ed Statutes. Responde	nts wish to resolve this	
11	matter without the commencement of formal	proceedings, and admi	t the following Findings of	
.12	Fact are true and consent to entry of the following Conclusions of Law and Order.			
13	FINDING	GS OF FACT		
14	1. Black Dog Bail Bonds, LLC ("Bl	ack Dog") is licensed as	s an Arizona resident bail	
15	bond agent, Arizona license number 952925,	which expires on Octo	ber 31, 2017. Black Dog	
16	was first licensed with the Department on Oct	tober 9, 2009. That lice	ense expired on October	
17	31, 2013. Black Dog renewed the expired lice	ense on March 14, 201	4.	
18	2. Black Dog's address of record is	s: 1010 E. Indian Schoo	ol Rd., Phoenix, Arizona	
19	85014 (business and mailing).			
20	3. Stacie Lynne Rosenthal ("Rosen	nthal") is, and was at al	I material times, licensed	
21	as a resident bail bond agent, Arizona license number 951163, which expires on February 28,			
22	2017.			
23				
		P.		

Rosenthal's addresses of record are: c/o Black Dog Bail Bonds, 1010 E. Indian 4. 1 School Road, Phoenix, Arizona 85014 (business and mailing) and 1539 E. Cassia Ct., Gilbert. 2 Arizona 85298 (residence). 3 5. Rosenthal is the Owner/Manager and Designated Responsible Licensed 4 Producer for Black Dog. 5 6. On or about March 6, 2014, Jamie Collins ("Jamie Collins") filed a Request for 6 Assistance with the Department ("Collins Complaint"). The Collins Complaint requested 7 assistance in getting cash collateral returned from Black Dog which secured a bond posted for 8 Janet Collins ("Janet Collins") on or about April 2, 2012 which the court exonerated on or 9 about May 9, 2012. 10 7. On or about March 10, 2014, an Investigator for the Department served a 11 subpoena for the Janet Collins bond file at Black Dog's business address. 12 **Collins Complaint** 13 8. On or about April 1, 2012, Janet Collins hired Black Dog to post a \$2,500.00 14 bond for her in Show Low Justice Court (Navajo County) in case number CR2007-1563. 15 Jamie Collins was the indemnitor on the bond. Janet Collins paid \$2,200.00 in cash to Black 16 Dog as collateral on the bond and \$250.00 in premium on the bond. 17 9. On or about April 2, 2012, Black Dog posted the \$2,500.00 bond in case 18 CR2007-1563 through International Credit of North America Reinsurance, Inc. (Power No. 15-19 0017994) with the Show Low Justice Court (Navajo County). 20 On or about May 9, 2012, Janet Collins' case concluded and the Show Low 10. 21 Justice Court exonerated the \$2,500.00 bond (Power No. 15-0017994). 22 11. On or about January 29, 2014, Janet Collins died. 23

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1	12.	12. To date, Black Dog has failed to return the cash collateral to either Jamie Collins			
2	or to Janet Collins' estate.				
3	Failure to Maintain a Daily Bond Register				
4	13.	On or about March 6, 2014, in connection with the Collins Complaint, an			
5	Investigator for the Department served a subpoena on Black Dog at its business address of				
6	record.				
7	14.	On or about March 6, 2014, Black Dog failed to produce a daily bond register			
8	with the eleven fields required under A.R.S. § 20-340.01(F).				
9	Unlicensed Activity				
10	15.	On or about October 31, 2013, Black Dog's license as an Arizona resident bail			
11	bond agent expired.				
12	16.	On or about March 6, 2014, in connection with the Collins Complaint, an			
13	Investigator for the Department served a subpoena on Black Dog at its business address of				
14	record.				
15	17.	On or about March 6, 2014, Black Dog was acting as a bail bond agent without a			
16	license. Black Dog renewed its license on or about March 14, 2014.				
17		CONCLUSIONS OF LAW			
18	1.	The Director has jurisdiction over this matter.			
19	2.	Black Dog's conduct, as described above, constitutes a violation of the			
20	requirement that a person shall not act as a bail bond agent in this state unless the person is				
	licensed by	the Director, within the meaning of A.R.S. § 20-340.01(A)			
21	3.	Respondents' conduct, as described above, constitutes failing to, as a minimum			
22	requirement	for permanent office records, maintain a daily bond register that is the original and			
23					

permanent record of all bonds or undertakings executed by the licensee, within the meaning of A.R.S. § 20-340.01(F).

4. Respondents' conduct, as described above, constitutes a violation of the requirement that any collateral received shall be returned to the person who deposited it with the bail bond agent or any assignee as soon as the obligation, the satisfaction of which was secured by the collateral, is discharged. Where such collateral has been deposited to secure the obligation of a bond, it shall be returned immediately upon entry of any order by an authorized official by virtue of which liability under the bond is terminated, or, if any bail bond agent fails to cooperate fully with any authorized official to secure the termination of such liability, immediately upon the accrual of any right to secure an order of termination of liability. within the meaning of A.A.C. R20-6-601(E)(4)(b).

5. 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) as applied to bail bond agents pursuant to A.R.S. § 20-340.06.

6. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondents' insurance licenses or impose a civil penalty pursuant to A.R.S. §§ 20-295(A), (B) and (F) as applied to bail bond agents under A.R.S. § 20-340.06. 15

7. Grounds exist for the Director to, in addition to or instead of any suspension, 16 revocation or refusal to renew, impose a civil penalty of not more than two hundred fifty dollars 17 (\$250.00) for each unintentional failure or violation, up to an aggregate civil penalty of two 18 thousand five hundred dollars (\$2,500.00) or impose a civil penalty of not more than two 19 thousand five hundred dollars (\$2,500.00) for each intentional failure or violation, up to an aggregate civil penalty of fifteen thousand dollars (\$15,000.00), pursuant to A.R.S. § 20-20 295(F). 21

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4. Respondents state that no promise of any kind or nature whatsoever, except as
expressly contained in this Consent Order, were made to them to induce them to enter into
this Consent Order and that they have entered into this Consent Order voluntarily.

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

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

7. Stacie Lynne Rosenthal represents that she is the Owner/Manager and Designated Responsible Licensed Producer for Black Dog Bail Bonds, LLC and, as such, is authorized to enter this Consent Order on its behalf.

Black Dog Bail Bonds, LLC (AZ Lic. 952925)

8/4/14 

Stacie Lynne Rosenthal, Owner/Manager Designated Responsible Licensed Producer

Stacie Lynne Rosenthal, AZ Lic. 951163

COPIES of the foregoing mailed/delivered 1 this 4th day of September, 2014, to: 2 Scott Campbell Scott Campbell, PLLC 3 1204 East Baseline Rd., Suite 102 Tempe, Arizona 85283 4 Attorney for Respondents 5 Darren Ellingson, Deputy Director Mary Kosinski, Executive Assistant for Regulatory Affairs 6 Catherine M. O'Neil, Consumer Legal Affairs Officer Maria Ailor, Acting Consumer Affairs Assistant Director 7 Steven Fromholtz, Licensing Supervisor Charles Gregory, Special Agent Supervisor 8 Dan Ray, Investigator Department of Insurance 9 2910 North 44<sup>th</sup> Street, Suite 210 Phoenix, Arizona 85018 10 11 Datters 12 **Curvey Walters** 13 14 15 16 17 18 19 20 21 22 23 7