STATE OF ARIZONA FILED

### STATE OF ARIZONA

NOV 80 2016

# DEPARTMENT OF INSURANCE

DEPT OF INSURANCE

In the Matter of:

HIGHTOWER, CHARLES MATTHEW

(National Producer Number 17598441)

Respondent.

(Arizona License Number 1111994)

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No. 16A-150-INS

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

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

# FINDINGS OF FACT

- 1. Charles Matthew Hightower ("Respondent") is licensed as a resident bail bond agent, Arizona license number 1111994, which expires on May 31, 2019.
- 2. Respondent's addresses of record are: 2327 W. Augusta Ave., Phoenix, AZ 85021 (business) and c/o Ayala Bail Bonds, LLC, 3350 W. Glendale Ave., Phoenix, AZ 85023 (mailing).
- 3. On April 7, 2016, the insurer holding Respondent's surety bond notified the Department that Respondent's bail agent bond was to be cancelled, effective as of May 19. 2016.

- 4. On July 25, 2016, the Department notified Respondent that the surety holding Respondent's bond had cancelled the bond effective May 19, 2016.
  - 5. To date, Respondent has failed to replace the cancelled surety bond.
- 6. Therefore, as of May 19, 2016, Respondent has not maintained a bond in favor of this State executed by a surety insurer authorized to do business in this State.
  - 7. The public health, safety and welfare imperatively require emergency action.

# **CONCLUSIONS OF LAW**

- 1. The Interim Director has jurisdiction.
- 2. Respondent's conduct constitutes a violation of the requirement that each bail bond agent maintain in force while license a bond in favor of this State executed by a surety insurer authorized to do business in this State, within the meaning of A.R.S. § 20-340.02.
- 3. Grounds exist to order a summary suspension within the meaning of A.R.S. § 41-1092.11(B).

# **ORDER**

### IT IS HEREBY ORDERED THAT:

1. Respondent's bail bond agent license, Arizona license number 1111994, is summarily suspended effective immediately.

DATED AND EFFECTIVE this <u>28 M</u> day of <u>November</u>, 2016.

Detir P Hess

Leslie R. Hess

Interim Director of Insurance

### **NOTICE OF OPPORTUNITY FOR HEARING**

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

Arizona Department of Insurance 2910 North 44<sup>th</sup> Street, Suite 210 Phoenix, Arizona 85018-7269

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

COPY of the foregoing mailed this 30th day of November 2016, to:

Charles Matthew Hightower 2327 W. Augusta Ave. Phoenix, AZ 85021 Respondent

Charles Matthew Hightower c/o Ayala Bail Bonds, LLC 3350 W. Glendale Ave. Phoenix, AZ 85023

Mary E. Kosinski, Regulatory Legal Affairs Officer Steven Fromholtz, Assistant Director – Consumer Affairs Division Catherine M. O'Neil, Consumer Affairs Legal Officer

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

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1	COPY sent same date via electronic mail to:
2	Charles Matthew Hightower  Matthightower208@gmail.com
3	Respondent
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5	Maidene Scheiner  Maidene Scheiner
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