

MAR 27 2019

DEPT OF INSURANCE
BY MEK

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

TONY ANN RANDOLPH,
(National Producer Number 7542841)

No. 19A-052-INS

RALPH COOPER RANDOLPH,
(National Producer Number 7541635)

CONSENT ORDER

and

RANDOLPH & CO BAIL BONDS INC
(Arizona License Number 1800002542)
(National Producer Number 8329068)

Respondents.

The State of Arizona Department of Insurance ("Department") has received evidence that **Tony Ann Randolph, Ralph Cooper Randolph, Kelby Reese Randolph and Randolph & CO Bail Bonds Inc. (collectively "the 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. Tony Ann Randolph ("Tony Ann") is, and was at all material times, licensed as an Arizona resident bail bond agent, National Producer Number 7542841, which expires July 31, 2020.

2. Ralph Cooper Randolph ("Ralph") is, and was at all material times, licensed as an Arizona resident bail bond agent, National Producer Number 7541635, which expires July 31, 2020.

1 3. Kelby Reese Randolph ("Kelby") is, and was at all material times, licensed
2 as an Arizona resident bail bond agent, National Producer Number 7763663, which
3 expired on December 31, 2016.

4 4. Randolph & CO Bail Bonds Inc., ("Randolph Bail Bonds") is, and was at all
5 material times, licensed as an Arizona resident bail bond agent, Arizona license number
6 1800002542, which expired January 31, 2019.

7 5. Respondents' address of record is: 49 South Mesa Drive, Mesa AZ 85210
8 (business and mailing).

9 6. Tony Ann is the President and a shareholder of Randolph Bail Bonds.

10 7. Kelby is the Vice President and shareholder of Randolph Bail Bonds.

11 8. Ralph is Director of Randolph Bail Bonds¹.

12 **Business License**

13 9. On or about January 28, 2019, the Department conducted a field visit to
14 the office of Respondents to serve a subpoena for documents related to a complaint.

15 10. Respondents did not occupy their business/ mailing address of record.

16 11. Okland, a construction company had taken over usage of the
17 Respondents business/ mailing address of record since July of 2018.

18 12. Respondents failed to notify the Department of their change of address
19 within 30 days.

20 13. Respondents failed to respond to the Department's subpoena.

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23
24 ¹ Information on officers and members from the Arizona Corporation Commission
25 website. Respondents have reported Tony Ann and Kelby as President and Vice
President of Randolph Bail Bonds, respectively, to the Department.

1 14. Kelby informed the Department that Respondents relocated to New
2 Mexico and sold their business to another licensed bail bond agent.

3 **CONCLUSIONS OF LAW**

4 1. The Director has jurisdiction over this matter.

5 2. Respondents' conduct, as alleged above, constitutes a violation of any
6 provision of Title 20 or any rule, subpoena or order of the Director, within the meaning of
7 A.R.S. § 20-295(A)(2) as applied to bail bond agents under A.R.S. § 20-340.06.

8 3. Respondents' conduct, as alleged above, constitutes failure to inform the
9 Director, within 30 days, of any change in the licensee's residential, business or e-mail
10 address, within the meaning of A.R.S. § 20-286(C)(1) as applied to bail bond agents
11 under A.R.S. § 20-340.06.

12 4. Respondents' conduct, as alleged above, constitutes failure to have and
13 maintain a place of business in this state that is accessible to the public and where the
14 bail bond agent principally conducts transactions under the agent's license, within the
15 meaning of A.R.S. § 20-340.01(E).

16 5. Randolph Bail Bonds conduct, as alleged above, constitutes failure to have
17 each owner and shareholder individually licensed as a bail bond agent, within the
18 meaning of A.R.S. § 20-340.01(C).

19 6. Grounds exist for the Director to suspend for not more than twelve months,
20 revoke or refuse to renew Respondent's insurance licenses pursuant to A.R.S. § 20-
21 295(A) as applied to bail bond agents under A.R.S. § 20-340.06.

22 7. On the written request of a person who is licensed, the Director may accept
23 the surrender of the person's authority to transact one or more lines of insurance or of
24 the person's entire license. A person who surrenders an authority or license shall not
25

1 reapply for the same authority or license for at least one year after the date of the
2 surrender. A.R.S. § 20-289(F) as applied to bail bond agents under A.R.S. § 20-340.06.

3 ...

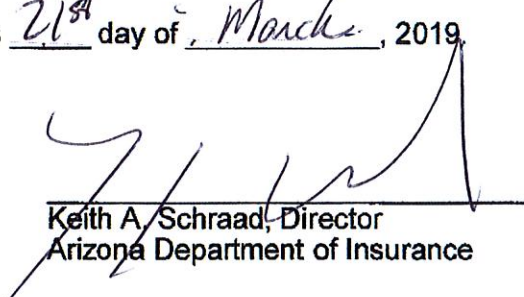
4 ...

5
6 **ORDER**

7 IT IS HEREBY ORDERED THAT:

8 Respondents Tony Ann Randolph and Ralph Cooper Randolph submit Form L-
9 SURR to surrender their bail bond agent licenses.

10 DATED AND EFFECTIVE this 21st day of March, 2019.

11
12 
13 Keith A. Schraad, Director
14 Arizona Department of Insurance

15 **CONSENT TO ORDER**

16 1. Respondents have reviewed the foregoing Findings of Fact, Conclusions
17 of Law and Order.

18 2. Respondents admit to the jurisdiction of the Director of Insurance, State of
19 Arizona, and admit the foregoing Findings of Fact and consent to the entry of the
20 foregoing Conclusions of Law and Order.

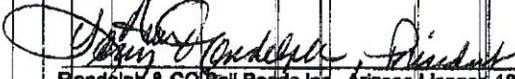
21 3. Respondents are aware of their right to notice and a hearing at which they
22 may be represented by counsel, present evidence and examine witnesses.
23 Respondents irrevocably waive their right to such notice and hearing and to any court
24 appeals relating to this Consent Order.

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

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

9 6. Respondents acknowledge that this Consent Order is an administrative
 10 action that the Department will report to the National Association of Insurance
 11 Commissioners (NAIC). Respondents further acknowledge that they must report this
 12 administrative action to any and all states in which they hold an insurance license and
 13 must disclose this administrative action on any license application.

14 7. Tony Ann Randolph represents that she is the President of Randolph & CO
 15 Bail Bonds Inc. and as such is authorized to enter into this Consent Order on its behalf.

17 3/6/19 
 18 Date Randolph & CO Bail Bonds Inc., Arizona License 1800002642
 19 National Producer Number 8329068
 20 By: Tony Ann Randolph, President

21 3/6/19 
 22 Date Tony Ann Randolph, National Producer Number 7542841

23 3/6/19 
 24 Date Ralph Cooper Randolph, National Producer Number 7541635

1 **COPY** of the foregoing mailed/delivered this
2 JFA day of March, 2019 to:

3 Tony Ann Randolph
4 175 East Main Avenue
5 Fort Sumner, NM 88119
6 Respondent

7 Ralph Cooper Randolph
8 1628 East Hampton Avenue
9 Mesa, AZ 85204
10 Respondent

11 Randolph & Co Bail Bonds, Inc.
12 c/o Ivy Kushner
13 4295 N. 75th St.
14 Scottsdale, AZ 85251
15 Statutory Agent for Respondent Randolph Bail Bonds

16 Mary Kosinski, Regulatory Legal Affairs Officer
17 Catherine M. O'Neil, Consumer Legal Affairs Officer
18 Steven Fromholtz, Assistant Director, Consumer Protection Division
19 Sharyn Kerr, Administrative Assistant, Consumer Protection Division
20 Lawrence Bevins, Administrative Enforcement Investigator
21 Arizona Department of Insurance
22 100 North 15th Avenue, Ste.102
23 Phoenix, Arizona 85007-2624

24 **COPY** of the foregoing delivered electronically this
25 same date to:

26 Ralph Cooper Randolph
27 RALPH@RALPHRANDOLPH.COM
28 Respondent

29 Francine Martinez
30 Francine Martinez