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**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

UTAH INSURANCE DEPARTMENT,

Complainant,

v.

REBEL BAIL BONDS, INC.

████████████████████
License No. 97875

Respondent.

STIPULATION AND ORDER

Docket No. 2015-088 BB

Enf. Case No. 3646

Mark Kleinfeld
Administrative Law Judge

STIPULATION

The Utah Insurance Department ("Department"), by and through its legal counsel, and Rebel Bail Bonds, Inc. ("Respondent"), by and through its owner, Darren R. Brady, hereby stipulate and agree as follows:

1. Respondent is an active licensed Limited Line Producer Organization, with the Qualification of Bail and holds license number 97875. Respondent's business address is ██████████
████████████████████

2. The Department has jurisdiction over the parties and subject matter of this administrative action.

3. Respondent acknowledges notice of agency action pursuant to Utah Code Section 63G-4-201; acknowledges that this Stipulation and Order is an informal proceeding pursuant to

Utah Code Section 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. Respondent knows of its right to be represented by legal counsel and waives this right by either having sought the advice of legal counsel or by having voluntarily chosen not to do so.

5. This signed Stipulation and Order, along with the Findings of Fact and Conclusions of Law below, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

6. The Findings of Fact and Conclusions of Law presented below are accepted by the parties.

7. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

8. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

9. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

10. The persons signing this Stipulation on behalf of the named parties hereby affirm that they are authorized to sign and bind the parties.

DATED this 13th day of August, 2015.

MELADY BRADY Melody Brady
~~DARREN R. BRADY, Owner~~
REBEL BAIL BONDS, INC.

DATED this 19th day of August, 2015.



GARY D. JOSEPHSON
Assistant Attorney General
UTAH DEPARTMENT OF INSURANCE

Based upon the foregoing Stipulation and Department file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. On June 19, 2014, Ms. Julie Beck became licensed with the Department as a Resident Limited Line Producer Individual, with the Qualification of Bail. On June 22, 2014, Ms. Beck began writing bail contracts for Respondent.
2. Respondent did not associate Ms. Beck to its agency until October 21, 2014. Between June 22, 2014, and October 21, 2014, Ms. Beck wrote a total of 69 bonds under the authority of Respondent, but without an affiliation to Respondent.
3. The premiums collected on the bonds written by Ms. Beck between June 22, 2014 and October 21, 2014 amounted to \$21,936.30.
4. Prior to this administrative action, on May 31, 2012, Respondent entered into a Stipulation and Order which dealt, in part, with Respondent using the services of producers who were not associated to Respondent. In this prior administrative action, Respondent paid an administrative forfeiture of \$12,500.00. Also, on February 11, 2015, another administrative action was resolved by Stipulation and Order, which again also dealt with Respondent using the services of individuals not associated to it. Respondent was assessed and paid an administrative forfeiture of \$10,000.00

5. In regards to this administrative matter, the Department and Respondent have agreed to payment of an administrative forfeiture in the amount of \$3,000.00.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. Utah Code Section 31A-23a-302(1) requires that an agency shall designate to it an individual that has an individual limited line producer license to act on the agency's behalf in order for the individual to conduct business in this state. Respondent violated the above provision when it failed to associate Ms. Beck to it between June 22, 2014, and October 21, 2014, during which time Ms. Beck wrote bonds for Respondent.

2. Utah Code Section 31A-23a-408 prohibits a person from representing and acting on behalf of an insurer unless a written contract between the individual and the agency is in effect and the insurer appoints that person to act on its behalf. Respondent violated the above provision when it allowed Ms. Beck to act on its behalf without an appointment to do so.

3. Utah Code Section 31A-35-402(2) states that a bail bond producer may not execute or issue a bail bond in this state without holding a current appointment from a bail bond surety or current designation from a bail bond company. Also, Utah Administrative Rule R590-186-6(1) states that bail bond companies are required to issue bail bonds only through licensed agents who have been contracted with and appointed by the insurer or designated by the company for whom they are issuing bail bonds. Respondent, by its actions previously stated, violated this referenced statute.

4. The agreed upon administrative forfeiture of \$3,000.00 is appropriate under the circumstances of this matter.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

ORDER

IT IS HEREBY ORDERED:

Respondent, Rebel Bail Bonds, is hereby assessed an administrative forfeiture in the amount of \$3,000.00 to be paid to the Department within 30 days of the date of this signed Order.

DATED this 19 day of August, 2015.

TODD E. KISER
Insurance Commissioner



MARK E. KLEINFELD
Administrative Law Judge
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone (801) 538-3800

NOTIFICATION TO RESPONDENT

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.