

BEFORE THE DIVISION OF INSURANCE, STATE OF COLORADO

Division File No. 223483

Final Agency Order No. O-10-099

STIPULATION FOR ENTRY OF FINAL AGENCY ORDER

IN THE MATTER OF THE INSURANCE PRODUCER LICENSE WITH BAIL BOND
AUTHORITY OF STEVEN LOUIS STARK, LICENSE NUMBER 68168

Respondent.

THE State of Colorado Division of Insurance ("Division") and Steven Louis Stark, ("Respondent"), hereby enter into this Stipulation for Entry of Final Agency Order ("Stipulation") to resolve the matters at issue in Division File Number 223483, and do hereby stipulate and agree as follows:

1. The Colorado Commissioner of Insurance (the "Commissioner") has jurisdiction over Respondent and the subject matter herein pursuant to the provisions of the Colorado Producer Licensing Model Act, §§ 10-2-101 through 10-2-1101, C.R.S., (the "PLMA") and the Bail Bonding Agent Act, §§ 12-7-101 through 12-7-113, C.R.S.
2. Respondent was first licensed by the Division as a resident insurance producer with bail bond authority on April 21, 1997, license number 68168.
3. Respondent's resident insurance producer license with bail bond authority allows him to transact the business of bail bonding subject to the PLMA, the Bail Bonding Agent Act and subject to the applicable rules and regulations of the Division adopted by the Commissioner, and other relevant laws, rules and orders.
4. Respondent's resident insurance producer license with bail bond authority expired on January 1, 2009.
5. On March 11, 2008, Respondent withdrew his December 19, 2007 application to avoid a denial as a result of his failure to disclose an administrative action taken by the Division against the Respondent on May 25, 2006, Order No. O-06-189.
6. On March 17, 2008, Respondent and the Division of Insurance entered into a Stipulation for Entry of Final Agency Order, Order No. O-08-092 to settle Case File 211151.

7. On or about December 14, 2009 Respondent applied to renew his insurance producer with bail bond authority to Pearson Vue, the Division's licensing agent. Respondent was required to answer the following question:

Since your last renewal (or application, if this is your first renewal), have you or any business in which you are or were an owner, partner, officer or director ever been involved in an administrative proceeding regarding any professional or occupation license? "Involved" means have a license censured, suspended, revoked, canceled, terminated; or being assessed a fine, placed on probation or surrendering a license to resolve an administrative action. "Involved" also means being named as a party to an administrative or arbitration proceeding which is related to a professional or occupation license. "Involved" also means having a license application denied or the act of withdrawing an application to avoid a denial. You may exclude terminations due solely to noncompliance with continuing education requirements or failure to pay a renewal fee.

8. Respondent answered "no" to the above question on his December 14, 2009 application when he should have answered "yes", based on his settlement and withdrawal outlined in Paragraphs 5 and 6 above.

9. Respondent's December 14, 2009 application and subsequent Division investigation revealed that Respondent failed to meet the qualifications for licensure as described in §12-7-102(1), C.R.S. as Respondent did not have an appointment to represent an insurance company.

10. Based upon the Division's investigation, on December 30, 2009 the Division denied Respondent's December 14, 2009 renewal application for insurance producer license with bail bond authority.

11. On December 21, 2009, the Division notified Respondent at his address of record with the Division that his application for licensure had been referred to the Compliance and Investigation Unit for review of determine if Respondent met the qualifications for licensure.

12. On January 7, 2010, the Division's December 21, 2009 letter was returned by the U.S. Post Office.

13. More than 30 calendar days have passed from the date the Division's receipt of the returned letter from the U.S. Post Office and Respondent has failed to update his address of record with the Division.

14. On January 3, 2010, Respondent requested a hearing on the denial of his December 30, 2009 renewal application.

15. The Division alleges that the factual allegations contained in Paragraph 8 above constitute violations of §§ 10-2-404(1)(b) and (h), 10-2-412, 10-2-801(1)(a), (c), (d), (h), (i) and (m), 12-7-102(1), and 12-7-106(1)(b), C.R.S.

16. In order to avoid the uncertainty and cost of litigation and to resolve the matters at issue, the Division and Respondent agree to the following:

- a) Respondent agrees that he is not qualified for licensure as an insurance producer with bail bond authority because he is not appointed to represent and insurance company.
- b) Respondent shall obtain an insurance company appointment and shall attach proof of such appointment to this Stipulation.
- c) Respondent shall be assessed a penalty in the amount of \$267.00 for the violations set forth above. Said penalty shall be assessed a 10% surcharge, or \$26.70, pursuant to § 24-34-108, C.R.S. for a total balance due of \$293.70 which will be due to the Division within 30 days from the date of the Final Agency Order approving this Stipulation. This surcharge will be used to fund the development, implementation and maintenance of a consumer outreach and education program.
- d) Respondent agrees to comply with §10-2-412, C.R.S. by informing the commissioner in writing of any change of address within thirty days after such change.
- e) Respondent shall comply with and be knowledgeable of all Colorado insurance laws governing bail bonding agents.
- f) Respondent shall disclose any and all administrative actions, including the outcome of this Stipulation, in accordance with the licensing procedures and applicable licensing laws of this State.
- g) The Division shall issue Respondent's insurance producer license with bail bond authority within ten (10) business days from the date of the Final Agency Order approving this Stipulation

17. By entering into this Stipulation, Respondent knowingly and voluntarily waives his rights pursuant to §§ 24-4-104, 105 and 106, C.R.S., including but not limited to, a hearing in this matter; the right to be represented at such hearing by counsel chosen and retained by Respondent; the right to present a defense, oral and documentary evidence, and cross-examine witnesses at such hearing; and the right to seek judicial review of this Stipulation and the Final Agency Order approving this Stipulation.

18. The Division and Respondent agree that this Stipulation is a full and final settlement of the issues raised between Respondent and the Division in Division File Number 223483.

19. Neither this Stipulation or the Final Agency Order approving this Stipulation shall be deemed in any manner to prevent the Division from commencing any other agency action relating to any other conduct of Respondent not settled herein, and without regard to whether such conduct occurred prior to the date of this Stipulation or the Final Agency Order approving this Stipulation.

20. Respondent understands and acknowledges the Division may take such lawful steps as may be required or appropriate to investigate and determine whether Respondent is in compliance with the Stipulation and the Final Agency Order approving this Stipulation, and take any action it deems appropriate to enforce compliance with the terms of the Stipulation and Final Agency Order.

21. In the event the Division takes action relating to alleged violations of this Stipulation or Final Agency Order approving this Stipulation, said Stipulation and Final Agency Order shall be admissible in full in that proceeding for any purpose.

22. This Stipulation is entered into by Respondent freely and voluntarily, after having the opportunity to consult with counsel of his choice, and with full understanding and acceptance of the legal consequences of this Stipulation and the Final Agency Order approving this Stipulation.

23. Respondent understands that this Stipulation and the Final Agency Order approving this Stipulation shall be reported to the National Association of Insurance Commissioners pursuant to §§ 10-2-416(5)(e) and 10-2-803(2), C.R.S.

24. Invalidity of any provision of this Stipulation or the Final Agency Order approving this Stipulation by a court of competent jurisdiction will in no way affect any other provisions, which shall remain in full force and effect.

25. This Stipulation and Final Agency Order embodies the entire agreement between Respondent and the Division, and there are no agreements, understandings, representations or warranties which are not expressly set forth herein.

26. Upon the Commissioner's entry of the Final Agency Order approving this Stipulation, this Stipulation and Final Agency Order shall be a public record in the custody of the Division under the Colorado Public Records Act, §§ 24-72-101, *et seq.*, C.R.S.

27. This Stipulation is subject to approval by the Commissioner or her designee, and shall become binding upon the parties hereto upon such approval. In the event the Commissioner does not approve this Stipulation, the parties shall retain all claims and defenses available to them in any action filed in the Office of Administrative Courts.

FOR RESPONDENT

Steven Louis Stark
STEVEN LOUIS STARK

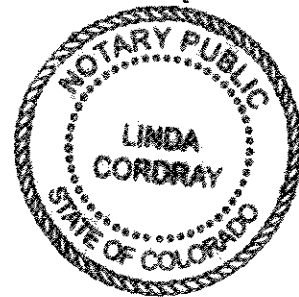
2-23-10
DATE

Subscribed and sworn to before me in the County of Mesa, State of Colorado,


this 23 day of February 2010, by Steven Louis Stark.

Linda Cordray
NOTARY PUBLIC

My Commission expires: 11/10/13



FOR THE COLORADO DIVISION OF INSURANCE



PEGGY A. BROWN, ESQ.
Deputy Commissioner of Consumer Affairs

2-25-10
DATE

BEFORE THE DIVISION OF INSURANCE, STATE OF COLORADO

Division File No. 223483

Final Agency Order No. O-10-099

FINAL AGENCY ORDER

**IN THE MATTER OF THE INSURANCE PRODUCER LICENSE WITH BAIL BOND
AUTHORITY OF STEVEN LOUIS STARK, LICENSE NUMBER 68168**

Respondent.

THIS MATTER comes before Marcy Morrison, Commissioner of Insurance for the State of Colorado ("Commissioner"), upon the Stipulation for Entry of Final Agency Order between the Colorado Division of Insurance ("Division") and Bryant a. Greer ("Respondent"). After reviewing the Stipulation, the Commissioner makes the following Findings and enters the following Order:

FINDINGS

1. The Commissioner has jurisdiction over Respondent and this matter pursuant to §§ 10-1-103(1) and 10-1-108(5), C.R.S., §§ 10-2-101 through 10-2-1101, C.R.S., the Colorado Producer Licensing Model Act, and §§ 12-7-101 through 12-7-113, C.R.S., the Bail Bonding Agent Act.

2. By entering into the Stipulation, Respondent has waived his right to a hearing pursuant to §§ 10-2-801, 12-7-106, and 24-4-104, 105, and 106, C.R.S.; the right to be represented at such hearing by counsel chosen and retained by Respondent; the right to present a defense, oral and documentary evidence, and cross-examine witnesses at such hearing; and the right to seek judicial review of this Final Agency Order.

ORDER

Based upon the foregoing and the terms of the Stipulation between the Division and Respondent, it is hereby ORDERED as follows:

3. Respondent shall obtain an insurance company appointment.

4. Respondent shall pay a penalty in the amount of \$267.00 for the violations set forth above. Said penalty shall be assessed a 10% surcharge, or \$26.70, pursuant to § 24-34-108, C.R.S. for a total balance due of \$293.70 which will be due to the Division within 30 days of the signing of this Final Agency Order. This surcharge will be used to fund the

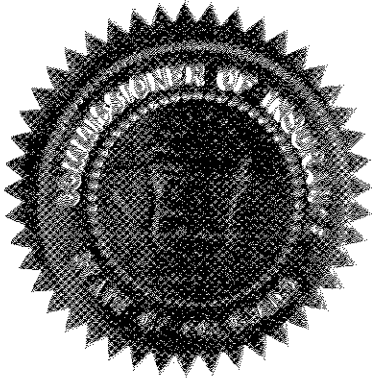
development, implementation and maintenance of a consumer outreach and education program.

5. Respondent shall comply with all the terms and conditions of the Stipulation, which is incorporated by reference and all its conditions, terms, and agreements are specifically made a part of this Order as though fully set forth herein.

6. The Division shall issue Respondent's insurance producer license with bail bond authority within ten (10) business days of receipt of the payment of the monetary penalty.

7. In the event the Division commences an action against Respondent for an alleged violation of this Final Agency Order, this Final Agency Order, Stipulation, and the factual basis of this proceeding shall be admissible in any such action.

DONE AND ORDERED this 2nd day of March, 2010



Marcy Morrison
MARCY MORRISON
COLORADO INSURANCE COMMISSIONER

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within STIPULATION FOR ENTRY OF FINAL AGENCY ORDER and FINAL AGENCY ORDER upon all parties herein by depositing copies of same in the United States mail, first-class postage prepaid, at Denver, Colorado, this 2nd day of March 2010 addressed as follows:

Steven Louis Stark
402.5 Wedgewood Ave
Grand Junction , Colorado 81504

Steven Louis Stark
485 Washington St. #8
Craig , Colorado 81625

Beth Han