

STATE OF ARIZONA  
Department of Insurance and Financial Institutions  
**FILED** March 20, 2024 by AS

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

**GUERRERO, RENE ANTHONY**  
(National Producer No. 8454583)

And

**AZTECA BAIL BONDS LLC**  
(National Producer No. 15685716)

Respondents.

No. 24A- 017 -INS

**CONSENT ORDER**

The Arizona Department of Insurance and Financial Institutions (“Department”) has received allegations that **Rene A. Guerrero** (“**Guerrero**”) and **AZTECA Bail Bonds LLC** (“**AZTECA**”), collectively **Respondents**, violated provisions of Arizona Revised Statutes (“A.R.S.”) Title 20. Respondents wish to resolve this matter without the commencement of formal proceedings, and admit the following Findings of Fact are true, and consent to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Guerrero was at all material times licensed as an Arizona resident bail bond agent, National Producer Number 8454583. The Department first licensed Guerrero on May 8, 2006. Guerrero’s license is scheduled to expire on March 31, 2026.

2. Guerrero’s addresses of record with the Department are as follows: 1235 West Silverlake Road, Tucson, Arizona 85713-2729 (business and mailing); and

1 [Aztecabailbonds@gmail.com](mailto:Aztecabailbonds@gmail.com) and [Aztecabailbonds1@gmail.com](mailto:Aztecabailbonds1@gmail.com) (email).

2 3. AZTECA was at all material times licensed as an Arizona domiciled bail bond  
3 agent, national Producer Number 15685716. The Department first licensed AZTECA on  
4 February 26, 2010. AZTECA's license is scheduled to expire on February 28, 2026.

5 4. AZTECA's addresses of record with the Department are as follows: 1020  
6 West Silverlake Road, Tucson, Arizona 85713 (business); 1235 West Silverlake Road,  
7 Tucson, Arizona 85713-2729 (mailing); and [Aztecabailbonds@gmail.com](mailto:Aztecabailbonds@gmail.com) (email).

8 5. Guerrero, along with Veronica L. Contreras, is a Designated Responsible  
9 Licensed Producer for AZTECA.

10 6. On or about October 12, 2023, the Department received a complaint from  
11 A.C. alleging that AZTECA failed to refund the correct amount of the cash collateral she  
12 tendered to AZTECA for a bail bond.

13 7. The Department commenced an investigation into this matter. The  
14 Department's investigation determined the following:

15 a) On or about June 23, 2023, A.C. tendered \$1,125.00 to AZTECA as cash  
16 collateral for a bail bond for her son. The bond, however, was underfunded  
17 by AZTECA as the full amount of the bond was \$2,250.00. AZTECA then  
18 issued a second bond in the amount of \$750.00 to correct the underfunded  
19 original bond without A.C.'s knowledge or consent.

20 b) On or about June 24, 2024, A.C.'s son was released and the charges against  
21 him were dismissed. AZTECA informed A.C. that her cash collateral would  
22 be refunded in full minus a non-refundable fee of 10% of the bond amount.

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Following this statement, AZTECA refunded \$700.00 as a remainder of the \$1,225.00. AZTECA charged A.C. a \$225.00<sup>1</sup> bail bond premium and a \$200.00 processing fee. Respondents never provided a disclosure relating to the bail bond.

c) A review of bail bond records revealed that Respondents failed to provide accurate and complete records of the bail bond contract executed by the parties, including a full disclosure related to the bond amount and bond related fees. Further, Respondents failed to produce to the Department complete and accurate records of all transactions related to A.C.'s complaint.

d) On or about November 7, 2023, the Department conducted an interview with Guerrero. During the interview, it was revealed that Guerrero failed to maintain current address of record with the Department. Further, Guerrero admitted that he or AZTECA's employee(s) failed to keep and maintain complete bail bond records related to A.C.

**CONCLUSIONS OF LAW**

8. The Director has jurisdiction over this matter.

9. Respondents' conduct, as described above, constitutes a violation of Title 20 or any rule, subpoena or order of the Director. A.R.S. § 20-295(A)(2).

10. Respondents' conduct, as described above, demonstrates incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or

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<sup>1</sup> A \$225.00 premium amount was calculated as a 10% on the full bail bond amount of \$2,250.00.

1 elsewhere. A.R.S. § 20-295(A)(8).

2 11. Respondents' conduct, as described above, constitutes failing to provide the  
3 person paying the monies or giving the consideration a prenumbered receipt as evidence of  
4 payment. A.R.S. § 20-340.01(G).

5 12. Respondents' conduct, as described above, constitutes failing to keep all the  
6 records as to any particular transaction available and open to the inspection of the Director.  
7 A.R.S. § 20-340.01(H).

8 13. Grounds exist for the Director to deny, suspend for not more than twelve  
9 months, revoke or refuse to renew Respondents' bail bond agent licenses. A.R.S. § 20-295  
10 made applicable by A.R.S. § 20-340.06.

11 14. Grounds exist, in addition to or instead of any suspension or revocation for the  
12 Director to impose a civil penalty of not more than \$250.00 for each unintentional failure or  
13 violation up to an aggregate civil penalty of \$2,500.00, or impose a civil penalty of not more  
14 than \$2,500.00 for each intentional failure or violation, up to an aggregate civil penalty of  
15 \$15,000.00. A.R.S. § 20-295(F).

16 **ORDER**

17 **IT IS HEREBY ORDERED THAT:**

18 15. Rene A. Guerrero and AZTECA Bail Bond LLC shall immediately pay to the  
19 Department a civil money penalty in the amount of two thousand five hundred dollars  
20 (\$2,500.00). Respondents are jointly and severally liable for payment of the civil money  
21 penalty.

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16. Respondents shall immediately refund a bail bond fee of \$112.50 to A.C.

Effective this 20th day of March, 2024.

*Barbara D. Richardson*

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Barbara D. Richardson  
Cabinet Executive Officer  
Executive Deputy Director  
Arizona Department of Insurance and Financial Institutions

**CONSENT TO ORDER**

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1. Respondents acknowledge that they have been served with a copy of the foregoing Consent Order in the above-referenced matter, have read it, are aware of their right to an administrative hearing in this matter and have knowingly and voluntarily waived that right.

2. Respondents accept the personal and subject matter jurisdiction of the Department over them in this matter.

3. Respondents acknowledge that no promise of any kind or nature has been made to induce them to sign the Consent to Order and they have done so knowingly and voluntarily.

4. Respondents acknowledge and agree that the acceptance of this Consent to Order by the Director is solely to settle this matter and does not preclude the Department from instituting other proceedings as may be appropriate now or in the future. Furthermore, and notwithstanding any language in this Consent Order, this Consent Order does not preclude in any way any other state agency or officer or political subdivision of this state from instituting proceedings, investigating claims, or taking legal action as may be appropriate now or in the future relating to this matter or other matters concerning Respondents, including but not limited to violations of Arizona's Consumer Fraud Act. Respondents acknowledge that, other than with respect to the Department, this Consent Order makes no representations, implied or otherwise, about the views or intended actions of any other state agency or officer or political subdivision of the state relating to this matter or other matters concerning Respondents.

1           5.       Respondents acknowledge and agree that failure to correct the violations set  
2 forth above in this Consent Order, or any repeat findings of the above violations in the  
3 future, can result in disciplinary action which may include a greater civil money penalty and  
4 suspension or revocation of their licenses.

5           6.       Respondents waive all rights to seek an administrative or judicial review or  
6 otherwise to challenge or contest the validity of this Consent Order and its accompanying  
7 parts before any court of competent jurisdiction.

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

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14       3/14/2024  
DATE

*Rene Guerrero*  
RENE ANTHONY GUERRERO  
(NATIONAL PRODUCER NO. 8454583)

15  
16       3/14/2024  
DATE

*Rene Guerrero*  
AZTECA BAIL BONDS LLC  
(NATIONAL PRODUCER NO. 15685716)

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1 **COPY** of the foregoing delivered via email  
this 21st day of March, 2024, to:

2  
3 Rene Anthony Guerrero  
4 AZTECA Bail Bonds LLC  
5 1235 West Silverlake Road  
6 Tucson, AZ 85713-2729  
7 [Aztecabailbonds@gmail.com](mailto:Aztecabailbonds@gmail.com)  
8 [Aztecabailbonds1@gmail.com](mailto:Aztecabailbonds1@gmail.com)  
9 Respondents

6 **COPY** of the foregoing delivered/mailed same date, to:

7  
8 Deian Ousounov, Chief Financial Deputy Director  
9 Alena Caravetta, Regulatory Legal Affairs Officer  
10 Ana Starcevic, Paralegal Project Specialist  
11 Catherine O'Neil, Consumer Regulatory Affairs Officer  
12 Steven Fromholtz, Division Manager, Licensing  
13 Linda Lutz, Legal Assistant, Licensing  
14 Aqueelah Currie, Licensing Supervisor  
15 Jesus Acosta, Investigator/Investigations Manager  
16 Arizona Department of Insurance and Financial Institutions  
17 100 North 15th Avenue, Suite 261  
18 Phoenix, Arizona 85007-2630

14 Ana Starcevic

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