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**FILED**  
**APR 19 2021**  
Department of Insurance  
State of Idaho

*Attorney for Idaho Department of Insurance*

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**  
**STATE OF IDAHO**

In the Matter of:

VIPER BAIL BONDS LLC, Bail Agency  
License No. 603096, and RICHARD  
MANZER, Resident Bail Agent License  
No. 497812,

Respondents.

Docket No. 18-3710-19

**ORDER OF DEFAULT**

The Director of the Idaho Department of Insurance (“Director”) having reviewed the record herein; and VIPER BAIL BONDS, LLC, and RICHARD MANZER (“Respondents”), having been lawfully served the Verified Complaint and Notice of Right to Hearing, a copy of which is attached hereto as Exhibit A and incorporated herein, and, as evident from the Statement of Counsel of Michael Witry, having failed to file an answer thereto and having failed to request a hearing regarding said Verified Complaint; and the Director having found as a result thereof that

Respondents have waived their rights regarding the opportunity for hearing; and in consideration of the above;

IT IS HEREBY ORDERED that VIPER BAIL BONDS LLC's Bail Agency License No. 603096 is REVOKED effective immediately, and that VIPER BAIL BONDS LLC shall not be issued a new license under title 41, Idaho Code, for a period of five (5) years after which time, in the event VIPER seeks a new license, VIPER must petition and show good cause why the prior revocation should not be deemed a bar to the issuance of a new license;

IT IS FURTHER ORDERED that RICHARD MANZER's Resident Bail Agent License No. 497812 is REVOKED effective immediately, and that MANZER shall not be issued a new license under Title 41, Idaho Code, for a period of five (5) years after which time, in the event MANZER seeks a new license, MANZER must petition and show good cause why the prior revocation should not be deemed a bar to the issuance of a new license;

IT IS FURTHER ORDERED that an administrative penalty is imposed against VIPER BAIL BONDS LLC in the amount of Five Thousand Dollars (\$5,000);

IT IS FURTHER ORDERED that an administrative penalty is imposed against MANZER in the amount of Five Thousand Dollars (\$5,000).

DATED this 19 day of April, 2021.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE

  
DEAN L. CAMERON  
Director

### **NOTIFICATION REGARDING REPORTABLE PROCEEDINGS**

This is considered a reportable administrative proceeding. As such, it is a public record and is public information that may be disclosed to other states and reported to companies of which you are actively appointed. This information may be reported to other government agencies. Be aware that you may be required to disclose this proceeding on any license application, and you may be required to report this action to any and all states in which you hold a license.

### **NOTIFICATION OF RIGHTS**

This constitutes a final order of the agency. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. *See* Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order may appeal it by filing a petition for judicial review in the district court of the county in which: (1) the hearing was held; or (2) the final agency action was taken; or (3) the aggrieved party resides or operates its principal place of business in Idaho; or (4) the real property or personal property that was the subject of the agency decision is located. An appeal must be filed within twenty-eight (28) days of: (a) the service date of this final order, or (b) an order denying a petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. *See* Idaho Code § 67-5273. The filing of a petition for judicial review to the district court does not itself stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

**CERTIFICATE OF SERVICE**

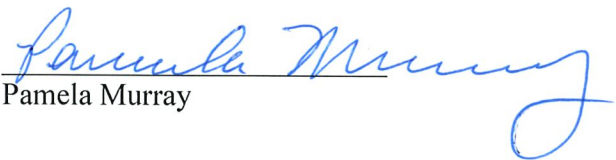
I HEREBY CERTIFY that on this 19<sup>th</sup> day of April, 2021, I caused a true and correct copy of the foregoing ORDER OF DEFAULT to be served upon the following by the designated means:

Richard Manzer  
Viper Bail Bonds  
2430 Center Avenue  
Payette, ID 83661-2740

☒ first class mail  
☐ certified mail  
☐ hand delivery  
☐ via facsimile

Richard Manzer  
Viper Bail Bonds  
6115 Cleveland Blvd., Ste. 102  
Caldwell, ID 83607-5128

☒ first class mail  
☐ certified mail  
☐ hand delivery  
☐ via facsimile

  
Pamela Murray

LAWRENCE G. WASDEN  
Attorney General

MICHAEL WITRY – I.S.B. No. 7960  
Deputy Attorney General  
Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
PO Box 83720  
Boise, Idaho 83720-0043  
Telephone No. (208) 334-4219  
Facsimile No. (208) 334-4298  
michael.witry@doi.idaho.gov

**FILED**  
**MAR 26 2021** *AM*  
Department of Insurance  
State of Idaho

*Attorneys for Idaho Department of Insurance*

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**

**STATE OF IDAHO**

In the Matter of:

VIPER BAIL BONDS LLC, Bail Agency  
License No. 603096, and RICHARD  
MANZER, Resident Bail Agent License No.  
497812

Respondents.

Docket No. 18-3710-19

**VERIFIED COMPLAINT AND  
NOTICE OF RIGHT TO HEARING**

COMES NOW the staff of the Idaho Department of Insurance (“Department”), by and through its undersigned counsel, Michael Witry, Deputy Attorney General, and does hereby give notice of verified allegations constituting violation(s) of Idaho law, notice that relief will be requested from the Director of the Department, and a notice of the right to contest the allegations and requested relief herein and right to hearing to:

**VIPER BAIL BONDS LLC**  
Bail Agency License No. 603096

and

**RICHARD MANZER**  
Resident Bail Agent License No. 497812

**EXHIBIT**

          A          

exhibitsticker.com

The Department alleges the following facts and violations of title 41, Idaho Code, as itemized below. The Department will present an order seeking the relief described below upon twenty-one (21) days following service of this Verified Complaint, and VIPER BAIL BONDS LLC and RICHARD MANZER are further notified of their right to object to the requested relief, including the basis for any objection, and to request a hearing in writing.

### **JURISDICTION**

1. Jurisdiction in this matter is founded in the Idaho Insurance Code, Idaho Code § 41-101 *et seq.*, including Idaho Code § 41-210, which authorizes the Director of the Department of Insurance (“Director”) to enforce the provisions of title 41 of the Idaho Code, including those governing Respondents’ activities as bail agents.

2. Jurisdiction is further founded in Idaho Code § 41-213, which authorizes the Department to institute such proceedings as deemed necessary for the enforcement of any provision of the Idaho Insurance Code including, but not limited to, license revocation and the imposition of administrative penalties.

### **RESPONDENTS**

3. VIPER BAIL BONDS, LLC (“VIPER”) is an Idaho limited liability company holding Bail Agency License No. 603096, which license expired effective February 1, 2021.

4. RICHARD MANZER (“MANZER”) holds Resident Bail Agent License No. 497812, which license expired effective February 28, 2021. He is the Designated Responsible Producer for VIPER.

### CONTROLLING LAW

5. The Director is vested with the exclusive authority to license bail agents and the authority to regulate the solicitation, negotiation, and transaction of bail with retail consumers of bail bonds. Idaho Code § 41-1039.

6. Bail agents are insurance producers, and are subject to the provisions of Idaho Code § 41-1016(1), which provides that the Director may suspend, revoke or refuse to issue or renew a producer's license and may impose an administrative penalty up to one thousand dollars (\$1,000), if the Director finds that any of the causes or violations set forth in subsections 41-1016(1)(a) through (o) exist, including specifically subsection (h) which prohibits:

(h) Using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility, or being a source of injury and loss to the public or others, in the conduct of business in this state or elsewhere[.]

7. Idaho Code § 41-117 provides that each instance of violation may be considered a separate offense.

8. Bail agents are responsible for the actions of the bail agent's employees, contractors and agents acting on the bail agent's behalf in relation to bail transactions and matters arising out of bail transactions. Idaho Code § 41-1045.

9. Bail agents are prohibited from collecting money or other valuable consideration from any person except to pay premiums at the rate established by the insurer, to provide collateral, or to reimburse the bail agent for actual expenses incurred in connection with the bail transaction. Idaho Code § 41-1042(1).

10. Idaho Code § 41-1038(4) defines "collateral" as "property of any kind given as security to obtain a bail bond."

11. Bail agents may accept collateral in connection with a bail bond transaction if the collateral is not excessive in relation to the face amount of the bond. Idaho Code § 41-1043(1).

12. If a bail agent accepts collateral, the bail agent shall give a written receipt for the collateral to the person from whom the collateral was received. The receipt shall include a full and detailed accounting of the collateral received. Idaho Code § 41-1043(5).

13. Pursuant to Idaho Code § 41-1026(3), the Director shall not issue a license under title 41, Idaho Code, to any person whose license has been revoked until after the expiration of not less than one (1) year to a maximum of five (5) years and, upon a former licensee's application for re-licensure, the Director may require the former licensee "to show good cause why the prior revocation ... shall not be deemed a bar to the issuance of a new license."

### COUNT I

14. On or about September 16, 2019, B.S. was arraigned on criminal charges in Ada County. Her bond was set at \$15,000.

15. On or about September 18, 2019, VIPER, as agent for United States Fire Insurance Company ("USFIC"), entered into a bail bond agreement with B.S. An individual identified here as D.H. served as the indemnitor on the bond. B.S. and D.H. lived together in Middleton, Idaho.

16. As part of the bail bond agreement, VIPER and MANZER required B.S. to sign a form entitled "Application for Appearance Bond," which purported to govern the agreement between B.S., D.H., and USFIC.

17. USFIC had not approved this form for use by its agents.

18. VIPER and MANZER violated Idaho Code § 41-1016(1)(h) by using fraudulent practices and demonstrating incompetence and untrustworthiness by attempting to bind USFIC to a bail bond agreement under terms that USFIC had not approved.

## COUNT II

19. All of the foregoing paragraphs are realleged and incorporated herein as though set forth in full.

20. As part of the bail bond agreement, VIPER and MANZER required B.S. and D.H. to sign a form entitled "Financial Statement and Indemnity Agreement," which purported to govern the agreement between B.S., D.H., and USFIC.

21. USFIC had not approved this form for use by its agents.

22. VIPER and MANZER violated Idaho Code § 41-1016(1)(h) by using fraudulent practices and demonstrating incompetence and untrustworthiness by attempting to bind USFIC to a bail bond agreement under terms that USFIC had not approved.

## COUNT III

23. All of the foregoing paragraphs are realleged and incorporated herein as though set forth in full.

24. As part of the bail bond agreement, VIPER and MANZER required B.S. and D.H. to sign a form entitled "Power of Attorney & Civil Asset Seizure," which purported to govern the agreement between B.S., D.H., and USFIC.

25. USFIC had not approved this form for use by its agents.

26. VIPER and MANZER violated Idaho Code § 41-1016(1)(h) by using fraudulent practices and demonstrating incompetence and untrustworthiness by attempting to bind USFIC to a bail bond agreement under terms that USFIC had not approved.

## COUNT IV

27. All of the foregoing paragraphs are realleged and incorporated herein as though set forth in full.

28. As part of the bail bond agreement, VIPER and MANZER required B.S. and D.H. to sign a form entitled "Collateral & Asset Form," which purported to govern the agreement between B.S., D.H., and USFIC.

29. USFIC had not approved this form for use by its agents.

30. VIPER and MANZER violated Idaho Code § 41-1016(1)(h) by using fraudulent practices and demonstrating incompetence and untrustworthiness by attempting to bind USFIC to a bail bond agreement under terms that USFIC had not approved.

### COUNT V

31. All of the foregoing paragraphs are realleged and incorporated herein as though set forth in full.

32. On or about September 16, 2019, D.H. posted three items as collateral: two HJC ZF-7 motorcycle helmets, worth \$25 each, and a Lyfe Shadow camera, worth \$47.

33. On or about September 24, 2019, B.S. failed to appear for her preliminary hearing.

34. On or about October 9, 2019, agents from VIPER found B.S. at the Middleton address.

35. In addition to arresting B.S., at the direction of MANZER, agents from VIPER removed additional items from the property that had not been posted as collateral.

36. Agents from VIPER did not provide B.S. or D.H. with a receipt of the items seized, nor did they estimate the value of the property seized.

37. VIPER and MANZER violated Idaho Code § 41-1043(5) by failing to give a written receipt for the collateral seized on October 9, 2019, that included a full and detailed accounting of the collateral received.

### **PRAYER FOR RELIEF**

Based on the foregoing facts and allegations, the Department prays for relief as follows:

1. For an Order revoking VIPER BAIL BONDS LLC's Bail Agency License No. 603096, and providing that VIPER BAIL BONDS LLC shall not be issued a new license under title 41, Idaho Code, for a period of five (5) years after which time, in the event VIPER seeks a new license, VIPER must petition and show good cause why the prior revocation should not be deemed a bar to the issuance of a new license;
2. For an Order revoking RICHARD MANZER's Resident Bail Agent License No. 497812, and providing that MANZER shall not be issued a new license under Title 41, Idaho Code, for a period of five (5) years after which time, in the event MANZER seeks a new license, MANZER must petition and show good cause why the prior revocation should not be deemed a bar to the issuance of a new license;
3. For an Order imposing an administrative penalty against VIPER BAIL BONDS LLC in the amount of \$1,000 for each violative act as alleged herein in such total number as shall be proven at hearing, but, in the event of a default, an amount not less than Five Thousand Dollars (\$5,000), which represents \$1,000 per violation of title 41, Idaho Code, as alleged herein;
4. For an Order imposing an administrative penalty against MANZER in the amount of \$1,000 for each violative act as alleged herein in such total number as shall be proven at hearing, but, in the event of a default, an amount not less than Five Thousand Dollars (\$5,000), which represents \$1,000 per violation of title 41, Idaho Code, as alleged herein; and
5. For such other and further relief as the Director deems just and necessary under the circumstances.

### **NOTIFICATION OF RIGHTS**

**TO: VIPER BAIL BONDS LLC and RICHARD MANZER, the above-named  
RESPONDENTS:**

Pursuant to Idaho Code § 41-232A, you have the right to a hearing on this matter. In order to exercise this right, a written request for a hearing must be filed and served upon the Department within twenty-one (21) days after service of this Complaint. Failure to file and serve a written request for a hearing upon the Department within the 21-day time period shall be deemed a waiver of the opportunity for a hearing and to contest the allegations in the Complaint, pursuant to Idaho Code § 41-232A(2). If you fail to submit a timely written response to the allegations within 21 days of the service of this Complaint, a final order will be entered imposing the relief described above.

Any written request for a hearing shall be served on the Director of the Idaho Department of Insurance, addressed as follows:

Dean L. Cameron, Director  
Idaho Department of Insurance  
P.O. Box 83720  
Boise, ID 83720-0043

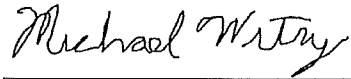
A copy shall also be provided to the Department's counsel in this matter at the following address:

Michael Witry  
Deputy Attorney General  
Idaho Department of Insurance  
P.O. Box 83720  
Boise, ID 83720-0043

In lieu of a hearing, this matter may be resolved by negotiation, stipulation, agreed settlement, or consent order, pursuant to Idaho Code § 67-5241(1)(c). Should you wish to discuss these options, please contact the undersigned deputy attorney general.

DATED this 26 day of March, 2021.

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL

A handwritten signature in cursive script that reads "Michael Witry".

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MICHAEL WITRY  
Deputy Attorney General  
Attorney for Idaho Department of Insurance


**VERIFICATION**

STATE OF IDAHO                    )  
  : ss.  
County of Ada                    )

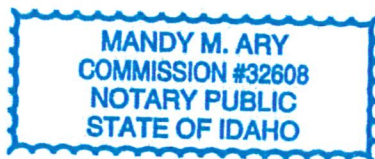
RANDALL M. PIPAL, Bureau Chief of the Consumer Services Bureau of the Department of Insurance, State of Idaho, being first duly sworn, deposes and says:


I have read the foregoing Verified Complaint and Notice of Right to Hearing and know the contents thereof and the same are true to the best of my knowledge and belief.

Dated this 26 day of March 2021.

  
\_\_\_\_\_  
RANDALL M. PIPAL  
Bureau Chief  
Consumer Services Bureau

26<sup>th</sup> SUBSCRIBED AND SWORN to before me the undersigned Notary Public of Idaho this day of March 2021.



  
\_\_\_\_\_  
Notary Public for Idaho  
My Commission Expires 7/24/24

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have on this 26<sup>th</sup> day of March, 2021, caused a true and correct copy of the foregoing VERIFIED COMPLAINT AND NOTICE OF RIGHT TO HEARING to be served upon the following by the designated means:

Richard Manzer  
Viper Bail Bonds  
2430 Center Avenue  
Payette, ID 83661-2740

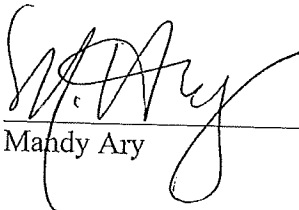
- ☒ first class mail  
☐ certified mail  
☐ hand delivery  
☐ via facsimile

Richard Manzer  
Viper Bail Bonds  
1106 W. Finch Drive  
Nampa, ID 83651-1732

- ☒ first class mail  
☐ certified mail  
☐ hand delivery  
☐ via facsimile

Richard Manzer  
Viper Bail Bonds  
6115 Cleveland Blvd., Ste. 102  
Caldwell, ID 83607-5128

- ☒ first class mail  
☐ certified mail  
☐ hand delivery  
☐ via facsimile

  
\_\_\_\_\_  
Mandy Ary