

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**

STATE OF OKLAHOMA, ex rel. KIM )  
HOLLAND, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
AMBER D. HELMUTH, )  
 )  
Respondent. )

JAN 06 2011

INSURANCE COMMISSIONER  
OKLAHOMA

Case No. 11-0015-DIS

**CONDITIONAL ADMINISTRATIVE ORDER  
AND NOTICE OF RIGHT TO BE HEARD**

COMES NOW the State of Oklahoma, ex rel. Kim Holland, Insurance Commissioner, by and through her attorney, Julie Meaders, and alleges and states as follows:

**JURISDICTION**

1. Kim Holland is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq.
2. Amber D. Helmuth is employed as a personal lines agent at RCI Insurance Group in Claremore, Oklahoma. Her producer license 113643 lapsed on July 31, 2010. Her address of record is 318 S. Wewoka Avenue, Claremore, Oklahoma 74017.
3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Oklahoma Producer Licensing Act and/or may levy a fine up to \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code, 36 O.S. § 1435.13(A) and (D).

### **ALLEGATIONS OF FACT**

1. Respondent submitted an application to reinstate her producer license on December 29, 2010. The application stated under Respondent's employment history that she was a customer service representative at AAA Oklahoma Insurance in Tulsa, Oklahoma from June 2010 until October 2010.

2. The application further stated that she is currently employed as a personal lines agent at RCI Insurance Group in Claremore, Oklahoma, starting in October 2010.

3. Respondent declared under penalty of perjury that the statements made in the application were true, correct and complete.

4. Oklahoma Insurance Department records reveal that Respondent was issued producer license 113643 on July 1, 2004. The license lapsed on July 31, 2010 for failure to renew.

5. Respondent was required to be licensed while employed as both a customer service representative and a personal lines producer between August 2010 and the present.

### **CONCLUSIONS OF LAW**

1. Respondent violated 36 O.S. § 1435.4(A) in failing to maintain an active producer license while employed in an insurance-related business, thereby in violation of 36 O.S. § 1435.13(A)(2).

**ORDER**

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated 36 O.S. § 1435.13(A)(2) and as a result **Respondent is FINED** in the amount of **TWO HUNDRED AND FIFTY DOLLARS (\$250.00)**. **Fine to be paid within thirty (30) days of receipt of this Order.** License will be reinstated upon payment of the fine.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the date of mailing this Order. A request for hearing should be in writing addressed to Julie Meaders, Oklahoma Insurance Department, Legal Division, Post Office Box 53408, Oklahoma City, Oklahoma 73152-3408. The request for hearing must state the grounds for the request to set aside or modify the Order.

Any such hearing shall be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. § 250-323. If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as notice of the matters to be reviewed at the hearing, and the Allegations of Fact, Alleged Violations of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 6<sup>th</sup> day of January, 2011.



KIM HOLLAND  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

*Julie Meaders*

Julie Meaders  
Assistant General Counsel  
P.O. Box 53408  
Oklahoma City, Oklahoma 73152  
Telephone: (405) 521-2746  
Facsimile: (405) 522-0125

**CERTIFICATE OF MAILING**

I, Julie Meaders, hereby certify that a true and correct copy of the above and foregoing Conditional Administrative Order and Notice of Right to be Heard was mailed by certified mail with postage prepaid and return receipt requested on this 6<sup>th</sup> day of January, 2011 to:

Amber D. Helmuth  
318 S. Wewoka Avenue  
Claremore, OK 74017

**CERTIFIED MAIL NO.** 7008 1830 0003 9410 8994

and that notification was sent to:

NAIC/RIRS

and that a copy was delivered to:

Leah Scoles  
Producer Licensing Division

*Julie Meaders*  
Julie Meaders

7008 1830 0003 9410 8994

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Sent To  
 Street, Apt. No.,  
 or PO Box No.  
 City, State, ZIP+4

Amber D. Helmuth  
 318 S. Wewoka Avenue  
 Claremore, OK 74017  
 jc/Legal 11-0015-DIS-JAM

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Amber D. Helmuth  
 318 S. Wewoka Avenue  
 Claremore, OK 74017  
 jc/Legal 11-0015-DIS-JAM

2. Article Number  
(Transfer from service label)

7008 1830 0003 9410 8994

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent  
 Addressee

B. Received by (Printed Name)  
 A. Helmuth

C. Date of Delivery  
 1-10-11

D. Is delivery address different from item 1?  Yes  
 No  
 If YES, enter delivery address below:

3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  Signature Confirmation

4. Restricted Delivery? (Extra Fee)  Yes