

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

JUN 27 2012

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
Petitioner,)
)
vs.)
)
QUENZELL ALLEN, a licensed bail)
bondsman in the State of Oklahoma,)
Respondent.)

Case No. 11-0510-DIS

ADMINISTRATIVE ORDER

On June 8, 2012, the above-captioned case came on for hearing at the office of the Oklahoma Insurance Department, 3625 N.W. 56th Street, Suite 100, Oklahoma City, Oklahoma 73112, and was concluded on the same date. Oklahoma Insurance Commissioner John D. Doak appointed the undersigned independent hearing examiner to preside at the hearing as a quasi-judicial officer. The hearing was recorded electronically by employees of the Oklahoma Insurance Department. Petitioner was represented by Assistant General Counsel William G. Combs. Allen appeared in person and represented himself. Testimony was taken and arguments were heard. The hearing examiner finds as follows:

JURISDICTION

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and as such is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101-7301, and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1340.

2. Respondent Quenzell Allen is a licensed bail bondsman in the State of Oklahoma holding license number 199474.

FINDINGS OF FACT

1. On or about December 15, 2010, Respondent executed an appearance bond in Pontotoc County for Defendant Christopher Todd Carder (“Defendant”) in case no. CM-10-1342. The amount of the appearance bond was \$100,000.00.

2. The premium charged for the appearance bond was not stated on, nor was a power of attorney attached to, the appearance bond. Thus, the Pontotoc County Court Clerk did not file stamp the appearance bond.

3. A new appearance bond was executed by a different bondsman for Defendant on February 18, 2011 in the amount of \$20,000.00.

4. Respondent received \$5,500.00 from the Defendant’s mother, Judy Carder (“Ms. Carder”), as premium for the execution of the \$100,000.00 bond. The premium was paid the Respondent in installments as follows: \$3,000.00 paid by check on December 15, 2010; \$500.00 paid in cash on December 20, 2010; \$260.00 paid in cash on December 27, 2010; and \$1,740.00 paid by check on January 10, 2011.

5. Respondent agreed privately with Ms. Carder to return the \$5,500.00 in premium she had paid to him. Respondent paid some money back to Ms. Carder as follows: \$500.00 in cash on March 9, 2011; \$150.00 by money order in June, 2011; \$300.00 on September 13, 2011; and \$300.00 on October 11, 2011. To date, Respondent has paid \$1,250.00 to Ms. Carder, but has not made a payment since October, 2011. His outstanding balance is \$4,250.00.

CONCLUSIONS OF LAW

1. Respondent acted in violation of § 1310 of the Oklahoma Bail Bond Act by failing to return the premium paid to him by Ms. Carder. Section 1310 authorizes the Commissioner to take

administrative action against a bail bondsman for “[m]isappropriation, conversion, or unlawful withholding of monies or property belonging to insurers, insureds, or others received in the conduct of business under the license . . .” and for committing “[f]raudulent or dishonest practices in conducting business under the license.” OKLA. STAT. tit 59, §§ 1310(A)(4) and (6).

ORDER

IT IS THEREFORE ORDERED that Quenzell Allen shall pay Four Thousand Two Hundred Fifty Dollars (\$4,250.00) to Ms. Carder by August 15, 2012.

IT IS FURTHER ORDERED that Quenzell Allen is CENSURED.

IT IS FURTHER ORDERED that a fine in the amount of One Thousand Dollars (\$1,000.00) will be assessed if Quenzell Allen fails to pay \$4,250.00 to Ms. Carder by August 15, 2012, as ordered above.

IT IS FURTHER ORDERED that Quenzell Allen is assessed costs in the amount of One Hundred Fifty Dollars (\$150.00), due and payable to the Oklahoma Insurance Department within 30 days of receipt of this Order.

WITNESS My Hand and Official Seal this 26th day of June, 2012.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


A handwritten signature in black ink, appearing to read "Leamon Freeman", written over a horizontal line.

LEAMON FREEMAN
HEARING EXAMINER

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Administrative Order* was mailed certified, return receipt requested, on this 27th day of June, 2012, to:

Quenzell Allen
100 E. 13th St., Suite 209
Ada, OK 74820-6548



William G. "Buddy" Combs
Assistant General Counsel

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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OFFICIAL USE

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Return Receipt Fee (Endorsement Required)	
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Total Post:

Sent To	Quenzell Allen
Street, Apt. # or PO Box No.	100 E. 13th Street, Suite 209
City, State, ZIP	Ada, Ok 74820-6548 sms/11-0510-DIS/Admin. Ord.

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Quenzell Allen
100 E. 13th Street, Suite 209
Ada, Ok 74820-6548
sms/11-0510-DIS/Admin. Ord.

COMPLETE THIS SECTION ON DELIVERY

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X Agent
 Addressee

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If YES, enter delivery address below: No

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JUL 20 2012

Legal Division

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4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

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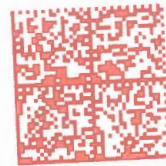


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