### BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK,	)	
Insurance Commissioner,	)	
Petitioner,	)	
VS.	)	CASE NO. 11-0636-DIS
TRACY ANN BIAS, a licensed bail bondsman in the State of Oklahoma,	)	
Respondent.	)	JUL 03 2011

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

COMES NOW the State of Oklahoma, ex rel., John D. Doak, Insurance Commissioner, by and through counsel and alleges and states 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. §§ 101-7004 and the Oklahoma Bail Bond Act 59 O. S. §§ 1301-1340.
- 2. Tracy Ann Bias ("Respondent") is a licensed bail bondsman in the State of Oklahoma holding license number 40080415.

#### FINDINGS OF FACTS

- 1. On or about April 15, 2011, Respondent submitted check number 1647 to the Oklahoma Insurance Department ("Department") in the amount of \$126.90 for payment of March 2011 reviewal fees. (Exhibit "A").
- 2. The check was returned to the Department by the Oklahoma State Treasurer as a charge back to the Department's account because there were insufficient funds in the account upon which the check was drawn. (Exhibit "B").

- 3. On May 9, 2011, the Department mailed a letter to Respondent, via certified mail with return receipt requested, informing her of the unpaid check and the assessment of the \$25.00 service fee. (Exhibit "C"). The letter also instructed that \$126.90 for the amount of the check and \$25.00 for the service fee, for a total of \$151.90, be paid to the Department by cashier's check or money order within five (5) days of receipt of the letter. The letter was received by Respondent on May 16, 2011.
- 4. Respondent submitted a money order in the amount of \$152.00 on May 18, 2011. (Exhibit "D").

#### CONCLUSION OF LAW

Respondent acted in violation of 59 O.S. § 1310(A)(27) by uttering an insufficient check to the Insurance Commissioner.

#### **ORDER**

IT IS THEREFORE ORDERED that Respondent is fined in the amount of Four Hundred Dollars (\$400.00).

Respondent is further notified that she may request a hearing within 30 days of the receipt of this Order concerning this action, and upon such request, the Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Natasha M. Scott, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> Suite 100, Oklahoma City, Oklahoma 73112 and state the basis for requesting the hearing. Such written request shall include an explanation of Respondent's actions described herein and any defenses thereof.

If Respondent does not request a hearing within the 30 days allotted, this Order shall be

a FINAL ORDER on the 31st day following the receipt of the Order, and the fine ordered

herein shall be due to the Oklahoma Insurance Department.

WITNESS My Hand and Official Seal this day of

2011.



JOHN D. DOAK INSURANCE COMMISSIONER STATE OF OKLAHOMA

Natasha M. Scott

Assistant General Counsel 3625 NW 56<sup>th</sup> Street, Suite 100 Oklahoma City, Oklahoma, 73112

Tel. (405) 521-2746 Fax (405-521-0125

#### CERTIFICATE OF SERVICE

I 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 certified, return receipt requested on this day of August, 2011, to:

Tracy Ann Bias 601 N. Walker Ave., Suite 104 Oklahoma City, OK 73102-1643

Natasha M. Scott



RECEIVED

OKLAHOMA INSURANCE DEPARTMENT

601 N. Walker, Suite 104

AUG 1'8 2011

Legal Division

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NOT DELIVERABLE AS ADDRESSED UNABLE TO FORWARD

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		B. Received by ( Printed Name)	C. Date of Delivery
		D. Is delivery address different from item 1?	
Tracy Ann Bias			
Tracy Ann Bias 601 N. Walker, Suite 1 OKC, OK 73102-164; sms/11-0636-DIS/Cond.	3	3. Service Type  Certified Mail Express N Registered Return Re Insured Mail C.O.D.	Mail eceipt for Merchandise
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EXHIBIT

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SURETY COMPANY:	y	
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ounty of Oklahoma	_	
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## RECEIVED BY AGENT LICENSING

MAY 0 6 2011

OKLAHOMA INSURANCE DEPARTMENT

## Ken Miller Oklahoma State Treasurer

AGENCY:

1385

RE:

Charge Back

The following item has been charged back to your account:

Name on check

: BILLY D'S BAIL BONDS

Check #

: 1647

Amount

: \$126.90

Type .

: A

On

: 5/2/2011

This item will appear on your monthly statement with the assigned

Charge Back #

4987

Please sign, date and return your envelope to this office.

Banking Operations

EXHIBIT B<sup>17</sup>

2300 North Lincoln Blvd., Room 217, Oklahoma City, Oklahoma 73105-4895 Phone: (405)521-3191 Fax: (405)522-4508

1110933499012125 Dept 216 Bail Bonds

copy Road by:

56-11



## OKLAHOMA INSURANCE DEPARTMENT STATE OF OKLAHOMA

May 9, 2011

TRACY ANN BIAS LICENSE NO. 40080415 217 N HARVEY AVE STE 203 OKLAHOMA CITY OK 73102-3803

Via certified mail 7010 1870 0001 8500 4705

RE:

Insufficient Funds Check

Check number – 1647

Check amount - \$126.90

Check date - April 15, 2011

Amount Due - \$151.90

Dear Tracy Ann Bias:

The above check was returned by your bank as insufficient. Submitting an insufficient check to the Oklahoma Insurance Department is a violation of the Bail Bond Code. See 59 O.S. §1310(A)(27). The Oklahoma Insurance Department charges a twenty five dollar (\$25.00) service fee on all insufficient funds checks. You must submit a money order or cashier's check for the amount of the check and the twenty-five dollar (\$25.00) service fee within five days from receipt of this letter.

You must submit a copy of this letter with your payment.

Sincerely,

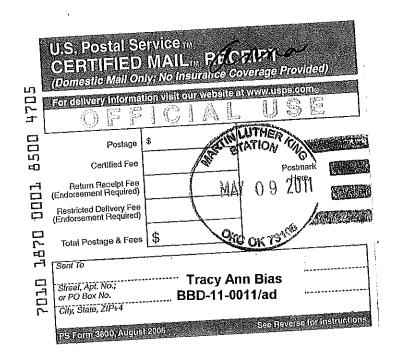
Anna Denman

Sr Licensing Administrator

Licensing Division

(405) 521-6612





<ul> <li>SENDER: COMPLETE THIS SECTION</li> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the rever so that we can return the card to you.</li> <li>Attach this card to the back of the mailple or on the front if space permits.</li> <li>1. Article Addressed to:</li> </ul>	B. Received by (Photed Name) C. Date of Delivery
TRACY ANN BIAS 217 N HARVEY AVE STE 2 OKLAHOMA CITY OK 731 BBD-11-0011/ad	3. Service Type Certified Mail
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RECEIVED FRONT DESK

MAY 17-2011

OKLAHOMA INSURANCE DEPT.

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Anna Denman

Sr Licensing Administrator

Licensing Division

(405) 521-6612

RECEIVED OKLAHOMA INSURANCE DEPARTMENT

MAY 18 2011

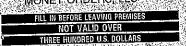
**Agent Licensing Division** 

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BOUND BY THE TERMS AND CONDITIONS AND SERVICE CHARGE AS SET FORTH ON TI Address 217N. HANU

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RECEIVED BY AGENT LICENSING

MAY 1 8 7011

OKLAHOMA INSURANCE DEPARTMENT