BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

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STATE OF OKLAHOMA, ex rel. JOHN D.)	
DOAK, Insurance Commissioner, Petitioner,)	APK 27 2012
vs.) INGUI	RANCE COMMISSIONER ORLAHOMA
HILARY McBROOM, a licensed bail bondsman in the State of Oklahoma,) CASE NO. 12-031	9-DIS
Respondent.)	

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. §§ 101-7301, and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1340.
- 2. Respondent Hilary McBroom ("Respondent") is a licensed bail bondsman in the State of Oklahoma holding license number 40156176.

FINDINGS

- 1. Until March 28, 2012, Respondent was appointed to write bail bonds on behalf of Allegheny Casualty Company ("Allegheny").
- Although Respondent's appointment with Allegheny was cancelled on March 28,
 Respondent still has outstanding liability on bonds written under Allegheny in the amount of \$82,486.

3. Respondent failed to file with the Insurance Commissioner her February 2012 surety bondsman report for her appointment with Allegheny.

CONCLUSIONS OF LAW

- 1. The allegations are found to be true and correct, and Respondent has violated 59 O.S. § 1314(B), which states that "[e]very licensed bondsman shall file monthly electronically with the Insurance Commissioner"
- 2. Pursuant to Oklahoma Administrative Code Rule 365:25-5-36(B)(2), bondsmen must submit a report for "each company with which he/she has outstanding liability, even though the appointment has been cancelled."
- 3. Pursuant to 59 O.S. § 1310(A)(22), the Insurance Commissioner may suspend any bondsman for "failing to file a report as required by Section 1314."

ORDER

IT IS THEREFORE ORDERED that Hilary McBroom's bail bondsman license is hereby suspended.

IT IS FURTHER ORDERED that Respondent is hereby given notice of opportunity to request a hearing within thirty (30) calendar days of receipt of this order to determine if there are any reasons why Respondent's bondsman license should not be subject to suspension. Upon such request, the Oklahoma Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Michael P. Copeland, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112, and **state the basis for requesting the hearing**.

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

become a FINAL ORDER on the 31st day following the receipt of the Order and Respondent's bail bondsman license shall be suspended. The suspension shall continue until Respondent submits to the Insurance Commissioner all outstanding monthly bondsman reports and any outstanding fines or fees owed.

WITNESS My Hand and Official Seal this **2** day of April, 2012.



JOHN D. DOAK INSURANCE COMMISSIONER STATE OF OKLAHOMA

Michael P. Copeland

Assistant General Counsel

3625 NW 56th 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 April, 2012, to:

Hilary McBroom P.O. Box 6177 Norman, OK 73070-6177

Sherry Standerfer

	■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse A. Signature X □ Agent □ Addressee
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	P.O. Box 6177
	Norman, OK 73070-6177 sms/12-0319-DIS/Cond. Ord. 3. Septice Type Certified Mail Gregorian Receipt for Merchandise
	☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes
	2. Article Number (Transfer from service label) 7001 0320 0004 4250 2048
	PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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