

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

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

Case No. 12-0351-DIS

FILED

APR 27 2012

INSURANCE COMMISSIONER
OKLAHOMA

**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. Tandy O'Leary ("Respondent") is a licensed bail bondsman in the State of Oklahoma holding license number 40143345.

FINDINGS OF FACT

1. On March 15, 2012, Respondent submitted two insufficient electronic funds transfers ("EFT") to the Oklahoma Insurance Department ("Department") in the amounts of \$25.39 and \$3.00 for payment of her February 2012 Roche and cash reports renewal fees and ok.gov fees.
2. On March 28, 2012, Department staff sent a letter to Respondent via email and certified mail, informing her of the unpaid amount and that a \$25.00 service fee was being assessed

for each insufficient EFT. The letter also instructed that \$50.39 and \$28.00 for the amount of the EFTs and \$25.00 for the service fee on each, for a total of \$88.39, be paid to the Department by cashier's check or money order within five (5) days of receipt of the letter.

3. Respondent received the letter on April 5, 2012.

4. On April 10, 2012, Respondent replaced the insufficient funds with money orders number 19949829546 and number 19949829557.

CONCLUSION OF LAW

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

2. Pursuant to 59 O.S. § 1310(A), the Insurance Commissioner may censure any bondsman for a violation of the Bail Bond Act.

ORDER

IT IS THEREFORE ORDERED that Tandy O'Leary is censured.

Respondent is notified that she has a history of submitting insufficient funds to the Commissioner and is strongly implored to refrain from submitting insufficient EFTs to the Commissioner in the future.

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 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. **Such written request shall include an explanation of Respondent's actions described herein and any**

defenses thereto.

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 Respondent shall be censured.

WITNESS My Hand and Official Seal this 23 day of April, 2012.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

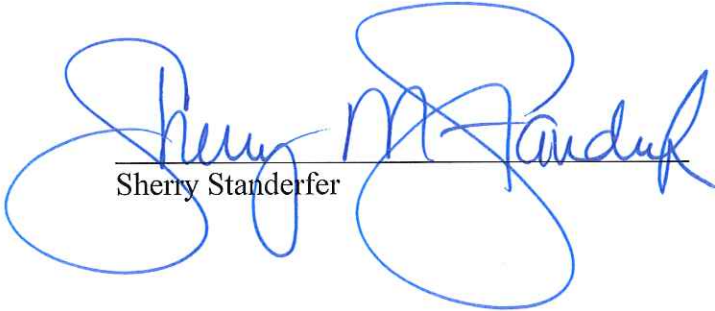
A handwritten signature in black ink, appearing to read "M. Copeland", written over a horizontal line.

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 27th day of April, 2012, to:

Tandy O'Leary
P.O. Box 226
Vinita, OK 74301-0226



Sherry Standerfer

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

7001 0320 0004 4250 4219

OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Po		



Sent To
 Street, Ap or PO Box
 City, State

Tandy O'Leary
 P.O. Box 226
 Vinita, OK 74301-0226
 sms/12-0351-DIS/Cond. Ord.

PS Form 3800, January 2007 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:

Tandy O'Leary
 P.O. Box 226
 Vinita, OK 74301-0226
 sms/12-0351-DIS/Cond. Ord.

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
Larren O'Leary

B. Received by (Printed Name) Date of Delivery
 Larren O'Leary

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below: 74301

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT
 MAY 09 2012
 MAY 07 2012

Legal Division

3. Service Type
 Certified Mail Return Receipt for Merchandise
 Registered C.O.D.
 Insured Mail

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7001 0320 0004 4250 4219