BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA



STATE OF OKLAHOMA, ex rel. JOHN D. DOAK,)	MAI	R 08 2013
Insurance Commissioner, Petitioner,)	INSURANC	CE COMMISSIONER
VS.)	Case No. 13-0186-DIS	KLAHOMA
TANDY O'LEARY, a licensed bail bondsman in the			
State of Oklahoma,)		
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. Tandy O'Leary ("Respondent") is a licensed bail bondsman in the State of Oklahoma holding license number 40143345.

FINDINGS OF FACT

- 1. On January 21, 2013, Respondent submitted to the Oklahoma Insurance Department ("Department") her December 2012 Cash report.
- 2. Respondent submitted with the report an Electronic Funds Transfer ("EFT") of Three Dollars (\$3.00).
- 3. On January 31, 2013, the Oklahoma State Treasurer charged the EFT back to the Department as "Uncollected Funds."
- 4. On February 8, 2013, Department staff sent Respondent a letter via email and certified mail informing Respondent of the charge back and requesting that the funds be replaced and a service fee of

\$25.00 be paid within five days of receipt of the letter.

5. On February 22, 2013, Respondent replaced the EFT and paid the service fee owed.

CONCLUSIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(27) by uttering insufficient funds to the Commissioner.

ORDER

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

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 Oklahoma Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Buddy Combs, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112 and give an explanation of Respondent's actions described herein and any defenses thereto.

If Respondent fails to request a hearing within 30 days of receipt of this Order, this Order shall become a **FINAL ORDER** on the 31st day, and Respondent shall be **CENSURED**.

WITNESS My Hand and Official Seal this

day of March, 2013.



JOHN D. DOAK INSURANCE COMMISSIONER STATE OF OKLAHOMA

Buddy Combs

Assistant General Counsel

3625 NW 56th Street, Suite 100

Oklahoma City, Oklahoma, 73112

Tel. (405) 521-2746

Fax (405) 522-0125

CERTIFICATE OF MAILING

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, with return receipt requested, on this day of March, 2013, to:

Tandy O'Leary 8009 Jackson Lane Grove, OK 74344-4314

Buddy Combs

CERTIFIED MAI



Insurance Commissioner
Okláhoma Insurance Department
5 Corporate Plaza
3625 N.W. 56th St., Ste. #100
Oklahoma City, OK 73112-4511



Tandy O'Leary
8009 Jackson Lane
Grove, Ok 74344-4314

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT

Legal Division

73112@4511

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RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

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PS Form 3811, February 2004	Article Number (Transfer from service label)	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. Tandy O'Leary 8009 Jackson Lane Grove, Ok 74344 4314 sms/13-0186-DIS/Cond. Ord.	
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See Reverse for Instruction	sms/13-0186-DIS/Cond. Ord.	CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) Postage Postage Postage S Certified Fee Indorsement Required) testricted Delivery Fee Indorsement Required (Seattleburger Fee Indorsement Required) Total Postage Tandy O'Leary 8009 Jackson Lane Forove, Ok 74344-4314	