BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
Petitioner,)
VS.) Case No. 13-0547-DIS
HOLLI CHILTON, a licensed bail bondsman in the State of Oklahoma,	FILED
Respondent.) JUN 1 2 2013

CONDITIONAL ADMINISTRATIVE ORDER AND NOTICE OF RIGHT TO BE HEARD

INSURANCE COMMISSIONER OKLAHOMA

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 Holli Chilton is a licensed bail bondsman in the State of Oklahoma holding license number 100148650. Until April 12, 2013, Respondent was appointed to write bail bonds by power of attorney on behalf of Seneca Insurance Company ("SIC"). On that date, her appointment was canceled.

FINDINGS OF FACT

- 1. Respondent's March 2013 SIC report indicated her total remaining outstanding liability under SIC was \$51,738.00.
 - 2. Respondent failed to submit to the Insurance Department her April 2013 SIC report.

- 3. On May 29, 2013, as a courtesy, Department staff sent Respondent an E-mail regarding her failure to file the report. Also on May 29, 2013, Department staff contacted Respondent by telephone. On May 31, 2013, Respondent requested a copy of her active bonds list, and received it via E-mail.
 - 4. As of the date of this Order, Respondent has not filed the report.

CONCLUSIONS OF LAW

- 1. Respondent has violated 59 O.S. § 1310(A)(22) for failing to file a report as required by Section 1314, which states that "monthly reports shall be submitted electronically to the Insurance Commissioner by the fifteenth day of each month."
- 2. Pursuant to 59 O.S. § 1310(A), the Commissioner "may deny, censure, suspend, revoke, or refuse to renew any license issued" under the Bail Bond Act for the above-alleged violation.
- 3. Pursuant to 59 O.S. § 1310(B), "any person violating any provision of Sections 1301 through 1340 of this title may be subject to a civil penalty of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each occurrence."

ORDER

IT IS THEREFORE ORDERED that Holli Chilton is CENSURED and FINED Two Hundred Fifty Dollars (\$250.00).

IT IS FURTHER ORDERED that Holli Chilton shall file her April 2013 SIC report and pay <u>all</u> associated fees within 30 days of receipt of this Order. If she does not, her license shall be SUSPENDED on the 31st day following receipt, and the suspension shall remain in

effect until the report and fees are submitted to the Department.

Respondent is 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 St., Suite 100, Oklahoma City, Oklahoma 73112, and give an explanation of Respondent's actions alleged herein and any defenses thereto.

If Respondent does not request a hearing within the 30 days allotted, this Order shall become a FINAL ORDER on the $31^{\rm st}$ day following the receipt of the Order.

WITNESS My Hand and Official Seal this day of June, 2013

OE COMMISSIONER RAIN

JOHN D. DOAK INSURANCE COMMISSIONER STATE OF OKLAHOMA

William G. "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, return receipt requested, on this ______ day of June, 2013, to:

Holli Chilton 224 S MAPLE ST CRESCENT, OK 73028-9132

Buddy Combs

	U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)		
17			
1975	OFF	1CIAL 25	15
9966	Postage Certified Fee	\$ 013 12 9	150 N
6000	Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required)	(S. 197)	
0350	Total Postage Holli Chilton 224 5. Maple 5t.		
7007	C Payarea for Instructions		
	PS Form 3800, January	2001	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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. Article Addressed to: RECE OKLAHOMA INSURA.	A. Signature B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from Item 1? Fig. 17 PES, enter delivery address below: No. SE DEPARTMENT
Holli Chilton 224 S. Maple St.	2013 Certified Mail
2. Article Number (Transfer from service label) 7001 [320 0003 9966 7791
PS Form 3811, February 2004 Domestic Retu	urn Receipt 102595-02-M-1540