

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

JUN 20 2014

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)

Petitioner,)

vs.)

TIFFANY CHARLES, a licensed bail bondsman)
in the State of Oklahoma,)

Respondent.)

Case No. 14-0033-DIS

ADMINISTRATIVE ORDER

This matter is a disciplinary proceeding under the Oklahoma Bail Bond Act. The Oklahoma Insurance Department (the "Department") issued a Notice of Hearing and Order to Show Cause on March 31, 2014, alleging Respondent Tiffany Charles violated several provisions of the Oklahoma Bail Bond Act.

The hearing was set before the undersigned Hearing Examiner for April 29, 2014. The matter was then continued by agreement until June 10, 2014.

On June 10, 2014, the above-captioned case came on for hearing at the office of the Department, 3625 N.W. 56th Street, Suite 100, Oklahoma City, Oklahoma 73112, and was concluded on the same date. Oklahoma Insurance Commissioner John D. Doak appointed the undersigned independent Hearing Examiner to preside at the hearing as a quasi-judicial officer. The hearing was recorded electronically by employees of the Department. Petitioner was represented by Assistant General Counsel, Dan R. Byrd. Respondent Tiffany Charles appeared in person and was represented by her attorney, Jeff Eulberg. Petitioner called one witness as proof to support the allegations of fact

and alleged violations of law contained in the Notice of Hearing and Order to Show Cause. Respondent submitted to the Department a signed verification dated May 29, 2014 and offered to surrender her bail bond license effective May 31, 2014. Respondent stipulated to the allegations of fact numbers 1 and 2. Respondent was called to testify on her behalf as proof to deny the allegations of fact number 3 and alleged violations of law contained in the Notice of Hearing and Order to Show Cause. Testimony was taken and arguments were heard. The Hearing Examiner finds 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 Tiffany Charles is a licensed bail bondsman in the State of Oklahoma holding license number 100113610.

3. The Insurance Commissioner may deny, censure, suspend, revoke, or refuse to renew any license issued pursuant to the Oklahoma Bail Bond Act and/or may levy a fine of not less than \$250.00 but not more than \$2,500.00 for each occurrence of a violation of the Oklahoma Bail Bond Act, 59 O.S. § 1310(A) and (B).

FINDINGS OF FACT

1. The Oklahoma Insurance Department (“Department”) Bail Bond Division conducts comparison audits of the Court Clerk Reports and the bondsman’s reports. In comparing Cleveland, Grady, McClain, Oklahoma and Tulsa Counties, from January to October 2013, Department Bail Bond Division staff found One-Hundred Fifty-Five (155) bonds totaling One Million Two Hundred Fourteen Thousand Eight Hundred Seventy-Three Dollars and Ninety Cents (\$1,214,873.90) that

were not found reported by Respondent. The amount of the reviewal fee on the unreported bonds would be Two Thousand Four Hundred Twenty-Nine Dollars and Seventy-Five Cents (\$2,429.75).

2. On December 9 and 10, 2013, Department Bail Bond Division staff sent letters, via email, to Respondent and the insurer, United States Fire Insurance Company, notifying them of the bonds that were not reported on ordering Respondent to report the bonds.

3. Respondent has a lengthy administrative history with the Department. The Respondent has fines owed to the Department's Legal Division and fees owed to the Department's Bail Bond Division.

CONCLUSIONS OF LAW

1. Respondent has violated 59 O.S. § 1314(B)(1) for failing to timely report appearance bonds to the Department.

2. Respondent has violated 59 O.S. § 1314(D) for failing to timely pay reviewal fees to the Department.

3. Respondent has violated 59 O.S. § 1310(A)(2) by violating a law of this state relating to bail.

4. Respondent has violated 59 O.S. § 1310(A)(6) by demonstrating financial irresponsibility in conducting her business under the license.

5. Respondent has violated 59 O.S. § 1310(A)(9) by conducting her business in a manner that renders the Respondent unfit to carry on the bail bond business or making the continuance of the business detrimental to the public interest in the judgment of the Commissioner.

6. Respondent has violated 59 O.S. § 1310(A)(7) by failing to comply with, or violation of any proper order, rule, or regulation of the Commissioner.


ORDER

IT IS THEREFORE ORDERED that Tiffany Charles' bail bondsman license is **REVOKED**.

IT IS FURTHER ORDERED that Tiffany Charles is assessed a **FINE** of **One Thousand Five Hundred Dollars (\$1,500.00)** and the costs of the hearing in the amount of **One Hundred Fifty Dollars (\$150.00)**, due and payable to the **Oklahoma Insurance Department** within thirty **(30)** days after the date of hearing.

WITNESS My Hand and Official Seal this 10th day of June, 2014.





JOHN D. MILLER
INDEPENDENT HEARING EXAMINER
OKLAHOMA INSURANCE DEPARTMENT

CERTIFICATE OF MAILING

I, Dan R. Byrd, hereby certify that a true and correct copy of the above and foregoing Administrative Order was mailed via certified mail with return receipt requested, and via regular mail, on this 20th day of June, 2014, to:

Jeff Eulberg
925 NW 6th Street
Oklahoma City, OK 73106
Attorney for Respondent

CERTIFIED MAIL NO:

and that a copy was delivered to:

Bail Bonds Division



DAN R. BYRD
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 522-6330
Fax (405) 522-0125

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PS Form 3800, January 2001

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1. Article Addressed to:

Jeff Eulberg
 925 NW 6th Street
 OKC, OK 73106
sms/14-0033-DIS/Adm Ord

Legal Division

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 Addressee

B. Received by (Printed Name) C. Date of Delivery
 Jeff Eulberg 06-23-14

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

3. Service Type
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 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

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