

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

**FILED**

**JUN 18 2014**

**INSURANCE COMMISSIONER  
OKLAHOMA**

**STATE OF OKLAHOMA, ex rel. JOHN  
DOAK, Insurance Commissioner,**  
  
**Petitioner,**  
  
**v.**  
  
**KYLE FARRELL,**  
**an applicant for a nonresident insurance**  
**producer license,**  
  
**Respondent.**

**Case No. 14-0615-DEN**

**CONDITIONAL ADMINISTRATIVE ORDER**  
**AND NOTICE OF RIGHT TO BE HEARD**

**COMES NOW** the State of Oklahoma, ex rel. John Doak, Insurance Commissioner, by and through his attorney, Barron B. Brown, and alleges and states as follows:

**JURISDICTION**

1. John Doak is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq.

2. Respondent is an applicant for a nonresident insurance producer license in the State of Oklahoma. Respondent's address of record is 2675 Rosalyn Lane SE, Smyrna, Georgia, 30080.

3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Oklahoma Producer Licensing Act and/or may levy a fine up to \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code, 36 O.S. § 1435.13(A) and (D).

## ALLEGATIONS OF FACT

1. Respondent applied for a nonresident insurance producer license on or about June 4, 2014 with the Oklahoma Insurance Department (OID). On the application form, the second question asks the following: "Have you ever been named or involved as a party in an administrative proceeding including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration?" Respondent answered "no" to this question.

2. The application form defines being "involved" in an administrative proceeding as the following: "having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, a cease and desist order, a prohibition order, a compliance order, placed on probation, sanctioned or surrendering a license to resolve an administrative action. 'Involved' also means being named as a party to an administrative or arbitration proceeding, which is related to a professional or occupational license or registration." 'Involved' also means having a license, or registration application denied or the act of withdrawing an application to avoid a denial." Applicants may only exclude "terminations due solely to noncompliance with continuing education requirements or failure to pay a renewal fee."

3. A background check conducted by the OID Licensing Division showed that Respondent had the following administrative action listed on his record: a consent order and license probation for a failure to make a required disclosure on a license application violation in Georgia on 08/17/2011 (State Regulatory Information Retrieval System ["RIRS"] Identifier: 11006745\_49386). Accordingly, Respondent did not

properly disclose the aforementioned administrative action in the Oklahoma license application.

**ALLEGED VIOLATIONS OF LAW**

1. Respondent violated 36 O.S. § 1435.13(A)(1); providing incorrect, misleading, incomplete or materially untrue information in the license application.

2. Respondent violated 36 O.S. § 1435.13(A)(9); having an insurance producer license, or its equivalent, denied, suspended, censured, placed on probation or revoked in any other state, province, district or territory.

## **ORDER**

**IT IS THEREFORE ORDERED** by the Insurance Commissioner that Kyle Farrell is **FINED THREE HUNDRED DOLLARS (\$300.00)** for providing incorrect, misleading, incomplete or materially untrue information in the license application and for having an insurance producer license, or its equivalent, denied, suspended, censured, placed on probation or revoked in any other state, province, district or territory. **The \$300.00 fine is to be paid within thirty (30) days** made payable to the Oklahoma Insurance Department. The \$300.00 civil fine shall be paid by money order or cashier's check. Respondent's application for a nonresident insurance producer license may be granted upon receipt of payment of the fine and reporting of the administrative action. Failure to pay the civil fine or request a hearing within thirty (30) days will result in your license application being withdrawn.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the date of mailing this Order. A request for hearing should be in writing addressed to Barron Brown, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112. The request for hearing must state the grounds for the request to set aside or modify the Order.

Any such hearing shall be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. § 250-323. If the Respondent serves a

timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as notice of the matters to be reviewed at the hearing, and the Allegations of Fact, Alleged Violations of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 18<sup>th</sup> day of June, 2014.



JOHN DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

*Barron B. Brown*

Barron B. Brown  
Assistant General Counsel  
3625 NW 56<sup>th</sup> St., Suite 100  
Oklahoma City, OK 73112

**CERTIFICATE OF MAILING**

I, Barron B. Brown, 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 by certified mail, with postage prepaid and return receipt requested, on this 18<sup>th</sup> day of June, 2014, to:

Kyle Farrell  
2675 Rosalyn Lane SE  
Smyrna, GA 30080

**CERTIFIED MAIL NO. 7001 0320 0004 4248 3033**

and a copy was delivered to:

DeAnna Hughes  
Licensing Division



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Barron B. Brown  
Assistant General Counsel



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

OFFICIAL USE

|   |  |
|---|--|
| Postage \$  |  |
| Certified Fee                                     |  |
| Return Receipt Fee<br>(Endorsement Required)      |  |
| Restricted Delivery Fee<br>(Endorsement Required) |  |

Total Postage & Fee

Kyle Farrell  
 2675 Rosalyn Lane SE  
 Smyrna, GA 30080  
 14-0615-DEN/BBB(mt)  
 Cond.Adm.Ord.

Sent To

Street, Apt. No.,  
 or PO Box No.

City, State, Zip+4

PS Form 3800, January 2001



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

RECEIVED  
 OKLAHOMA INSURANCE DEPARTMENT

JUL 22 2014

Legal Division

**CERTIFIED MAIL**



7001 0320 0004 4248 3033

*Handwritten:* 6/24/14

Kyle Farrell  
 2675 Rosalyn Lane SE  
 Smyrna, GA 30080

neopost<sup>®</sup>

FIRST-CLASS MAIL

06/18/2014

US POSTAGE \$006.69<sup>0</sup>

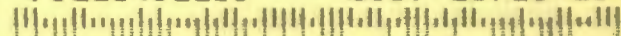


ZIP 73112  
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RETURN TO SENDER  
 UNCLAIMED  
 UNABLE TO FORWARD

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| Postage \$                                     |  |
| Certified Fee                                  |  |
| Return Receipt Fee (Endorsement Required)      |  |
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**Kyle Farrell**  
 2675 Rosalyn Lane SE  
 Smyrna, GA 30080  
 14-0615-DEN/BBB(mt)  
 Cond.Adm.Ord.

Total Postage & Fees

Sent To

Street, Apt. No., or PO Box No.

City, State, ZIP+4

PS Form 3800, January 2001

See Reverse for Instructions

7001 0320 0004 4248 3033

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**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:

**Kyle Farrell**  
 2675 Rosalyn Lane SE  
 Smyrna, GA 30080  
 14-0615-DEN/BBB(mt)  
 Cond.Adm.Ord.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X** ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

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

E. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

RECEIVED  
 OKLAHOMA INSURANCE DEPARTMENT

JUL 22 2014

Legal Division

2. Article Number (Transfer from service label) **7001 0320 0004 4248 3033**