

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**

OCT 03 2014

INSURANCE COMMISSIONER  
OKLAHOMA

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

Case No. 14-0968-DIS

**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, Dan R. Byrd, 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 Dorothy Byers (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 200417.

**ALLEGATIONS OF FACT**

1. On July 15, 2014, Respondent submitted to the Oklahoma Insurance Department (“Department”) an Electronic Funds Transfer (“EFT”) of Three Dollars (\$3.00) for her June 2014 SNCC report.

2. On July 25, 2014, the Oklahoma State Treasurer charged the EFT back to the Department as “Not Sufficient Funds”.

3. On July 31, 2014, Department staff sent Respondent a letter via email requesting that the funds be replaced and a service fee of Twenty-Five Dollars (\$25.00) be paid within five days of receipt of the letter.

4. The email was sent to Respondent's email address on file with the Department. The certified letter was mailed to Respondent's address on file with the Department and returned by the USPS marked "Return to Sender, Not Deliverable as Addressed, Unable to Forward."

5. Respondent has not changed her email, resident, business, or mailing address with the Department.

6. Submitting an insufficient electronic funds transfer to the Department is a violation of 59 O.S. § 1310(A)(29). The Department charges a Twenty-Five Dollar (\$25.00) service fee on all insufficient funds.

7. Failure to notify the Commissioner of a change of mailing address or email address within five (5) days after a change is made, or failing to respond to a properly mailed notification within a reasonable amount of time is a violation of 59 O.S. § 1310(A)(23)

#### **ALLEGED VIOLATIONS OF LAW**

1. Respondent has violated 59 O.S. § 1310(A)(29) by uttering insufficient funds to the Commissioner.

2. Respondent has violated 59 O.S. § 1310(A)(23) by failing to notify the Commissioner of a change of mailing or email address within five (5) days after a change is made, or failing to respond to a properly mailed notification within a reasonable amount of time.

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

4. 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 Dorothy Byers is CENSURED.**

**IT IS FURTHER ORDERED that Dorothy Byers shall replace the insufficient EFT and pay the service fee owed. The total amount owed to the Department in this case is Twenty Eight Dollars (\$28.00).**

Respondent is further notified that she may request a hearing within thirty (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 Dan R. Byrd, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112, and **state the basis for requesting the hearing.**

**If Respondent fails to request a hearing within thirty (30) days of receipt of this Order, this Order shall become a FINAL ORDER on the 31<sup>st</sup> day.**

WITNESS My Hand and Official Seal this 3<sup>rd</sup> day of October, 2014.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "Dan R. Byrd", is written over a horizontal line.

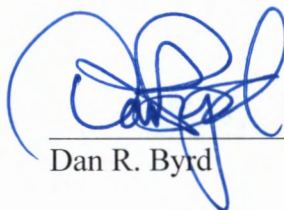
Dan R. Byrd  
Assistant General Counsel  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, Oklahoma, 73112  
Tel. (405) 522-6330  
Fax (405) 522-0125

**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 3<sup>rd</sup> day of October, 2014, to:

Dorothy Byers  
EZ Bailbonds  
1021 Meadowvale Dr.  
Midwest City, OK 73110-7032

Certified Mail No.  
7014 0150 0001 9588 2371



Dan R. Byrd

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

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

7014 0150 0001 9588 2371

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage		
Sent To Dorothy Byers EZ Bailbonds 1021 Meadowvale Dr. Midwest City, OK 73110-7032 sms/14-0968-DIS/Cond Ord		
PS Form 3800, August 2006		See 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:

Dorothy Byers  
 EZ Bailbonds  
 1021 Meadowvale Dr.  
 Midwest City, OK 73110-7032  
 sms/14-0968-DIS/Cond Ord

2. Article Number  
*(Transfer from service label)*

7014 0150 0001 9588 2371

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  

 Agent  
 Addressee

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

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

RECEIVED  
 OKLAHOMA INSURANCE DEPARTMENT  
 OCT 07 2014  
 Legal Division

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

4. Restricted Delivery? (*Extra Fee*)       Yes