# BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner, Petitioner, Vs. STEVEN SNYDER, a licensed bail bondsman in the State of Oklahoma, AND AMERICAN CONTRACTORS INDEMNITY COMPANY, an insurance company licensed to act as bail surety in the State of Oklahoma, Respondents. Respondents.

# 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.
- Respondent Steven Snyder ("Snyder") is a licensed bail bondsman in the State of Oklahoma holding license number 199984.
- 3. Respondent American Contractors Indemnity Company ("ACIC") is an insurance company licensed to act as bail surety in the State of Oklahoma holding NAIC number 10216.

### FINDINGS OF FACT

1. On or about August 8, 2014, an appearance bond was executed as follows:

Defendant:

Bradley Paul Arthurs

Case Number(s):

CF-2014-4868

City/County:

Oklahoma County Court Clerk

Insurer:

American Contractors Indemnity Company

Bondsman:

Steven Snyder

Power Number(s):

A5-2226435

Bond Amount(s):

\$4000

- 2. On September 8, 2014, the Defendant failed to appear, and the bond was orally declared forfeited. An Order and Judgment of Forfeiture was filed by the court on September 12, 2014. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondents with return receipt requested within thirty (30) days after the Order's filing.
- Snyder's copy of the Order and Judgment of Forfeiture was received on September 15,
   2014.
- 4. ACIC's copy of the Order and Judgment of Forfeiture was received on September 15, 2014.
- 5. The ninetieth (90<sup>th</sup>) day after receipt of the Order and Judgment of Forfeiture by Respondents was Sunday, December 14, 2014.
- 6. The ninety-first (91<sup>st</sup>) day after receipt of the Order and Judgment of Forfeiture by Respondents was Monday, December 15, 2014.
- 7. As of the date of this Order, the bond forfeiture has not been paid or otherwise set aside or the bond exonerated.
- 8. The Defendant was not returned to custody within 90 days, nor was the face amount of the forfeited bond deposited with the Court Clerk within 91 days, after receipt of the Order and Judgment of Forfeiture by Respondents.
  - 9. The bond was reported.

# CONCLUSIONS OF LAW

- 1. The allegations are found to be true and correct, and Respondents have violated 59 O.S. § 1332(D) by failing to return the Defendant within ninety (90) days or remit payment in the face amount of the bond forfeiture within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture.
- 2. Pursuant to 59 O.S. § 1310(B), any bondsman or company violating a provision of the Bail Bond Act, 59 O.S. §§ 1301-1340, may be subject to a fine of not less than \$250 but not more than \$2,500.

### ORDER

**IT IS THEREFORE ORDERED** that Steven Snyder and American Contractors Indemnity Company are <u>each</u> **CENSURED** and **FINED** Two Hundred Fifty Dollars (\$250.00).

IT IS FURTHER ORDERED that the face amount of the bond forfeiture shall be deposited with the Oklahoma County Court Clerk (or the bond forfeiture otherwise set aside or the bond exonerated) within thirty (30) days of receipt of this Order. Failure to do so shall result in the CANCELLATION of American Contractors Indemnity Company's license privilege and authorization to do business within the State of Oklahoma and CANCELLATION of the surety appointment of all surety bondsman agents of American Contractors Indemnity Company.

Respondents are further notified that they 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 Dan R. Byrd, Assistant General Counsel, Oklahoma Insurance Department, Legal Division,

3625 NW 56<sup>th</sup> Suite 100, Oklahoma City, Oklahoma 73112 and give an explanation of Respondents' actions alleged herein and any defenses thereto.

If Respondents do not request a hearing within the 30 days allotted, this Order shall become a FINAL ORDER on the  $31^{st}$  day following the receipt of the Order, and the fines ordered herein shall be due.

WITNESS My Hand and Official Seal this **27** day of January, 2015.

STATE OF THE PROPERTY OF THE P

JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

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 \_\_\_\_\_\_ day of January, 2015, to:

> **CERTIFIED MAIL NO:** 7014 2870 0000 5493 2637

Steven Snyder 809 N. Classen Blvd. Oklahoma City, OK 73106

American Contractors Indemnity Company 601 South Figueroa Street, Suite 1600 Los Angeles, CA 90017-5721

**CERTIFIED MAIL NO:** 7014 2870 0000 5493 2644

7014 2870 0000 5493 2637	U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only  For delivery information, visit our website at www.usps.com®.  OFFICIAL USE				
					Postage Certified Fee
	Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required)	AN A SOCIETY OF THE PARTY OF TH			
	Street & Apt. No., or PO Box No.  City, State, ZIP+4  Steven Snyder  809 N. Classen Blvd.  Oklahoma City, OK 73106  15-0001-DIS/DRB(mt)  Cond.Adm.Ord. ~01-07-15				
		PS Form 3800, July 201			

SENDER: COMPLETE THIS	SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul> <li>Complete items 1, 2, and 3. item 4 if Restricted Delivery</li> <li>Print your name and addres so that we can return the ca</li> <li>Attach this card to the back or on the front if space perm</li> </ul>	is desired. s on the reverse and to you. of the mailpiece,	A. Signature  A. Agent  Addressee  B. Received by (Printed Name)  C. Date of Delivery  D. Is delivery address different from item 1?  If YES, enter delivery address below:	
Article Addressed to:	OKLAHOMA INSURANCE		
Steven Snyder 809 N. Classen Blvd. Oklahoma City, OK 73 15-0001-DIS/DRB(m Cond.Adm.Ord. ~01	t)	3, Service Type Certified Mail Registered Registered Insured Mail Collect on Delive	or Merchandise
		4. Restricted Delivery? (Extra Fee)	☐ Yes
Article Number     (Transfer from service label)	7014 2870	0000 5493 2637	
PS Form 3811, July 2013	Domestic Ret	urn Receipt	

44	U.S. Postal Service <sup>™</sup> CERTIFIED MAIL <sup>®</sup> RECEIPT Domestic Mail Only			
원	For delivery information, visit our website at www.usps.com®.			
m	OFFICIAL USE			
549	Postage \$			
-	Postage \$ Certified Fee			
0000	Return Receipt Fee Endorsement Required)			
	Restricted Delivery Fee			
2870	Total Postage & American Contractors Indemnity Company			
<b>=</b>	601 South Figueroa Street, Suite 1600			
407	Street & Apt. No., Los Angeles, CA 90017-5721 15-0001-DIS/DRB(mt)			
10	City, State, ZIP44 Cond.Adm.Ord. ~01-07-15			
P	S Form 3800, July 2014 See Reverse for Instructions			

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>Article Addressed to:         <ul> <li>OKLAHOMA INSURAN</li> </ul> </li> <li>American Contractors Indemnity JAN 1 is Company 601 South Figueroa Street, Suite 1600 Los Angeles, CA 90017-5721 Legal Diversity 15-0001-DIS/DRB(mt) Cond.Adm.Ord. ~01-07-15</li> </ul>	A. Signature  X. Addressee  B. Received by Printed Name)  C. Date of Delivery  12 15  D. Is delivery address different from item 1? Yes  Diff XES anter delivery address below: No  2015  No  Priority Mail Express**  Registered Return Receipt for Merchandise  Insured Mail Collect on Delivery  4. Restricted Delivery? (Extra Fee) Yes
2. Article Number (Transfer from service label) 7014 2870	0000 5493 2644
PS Form 3811, July 2013 Domestic Retu	wa Deceipt