

FINDINGS OF FACT

1. Pursuant to 59 O.S. § 1314(B) and O.A.C. 365:25-5-36, a bail bondsman licensed in the State of Oklahoma is required to electronically file monthly reports to the Insurance Commissioner (“Commissioner”) within fifteen (15) days after the end of each preceding month.

2. While still actively licensed as a bail bondsman, Respondent was required to timely file his American Contractors Indemnity Company and Lexington National Insurance Corporation monthly reports with the OID by May 15, 2015. In addition, Respondent was required to timely file his April 2015 cash report by that same date. As of the date of this Order, Respondent has failed to file any of the referenced monthly reports with the OID.

3. Pursuant to 59 O.S. § 1314(B)(1), monthly reports filed by bondsmen must contain every bond written, bond amount, whether released or revoked during each month showing the court, county, and the type and number of the case, etc.

4. During a comparison audit by the OID’s Bail Bond Division, Respondent’s reports were compared to the Oklahoma City Municipal Court Clerk report. It was discovered that Respondent failed to report fifty-four (54) bonds on his monthly reports. The unreported bonds totaled to \$48,065.00. It was also discovered that Respondent misreported two bonds. The amount of the bond on Respondent’s report was not the same amount as the Court Clerk’s report.

5. On or about February 10, and February 11, 2015, letters were sent to Respondent via electronic mail regarding the unreported bonds. In addition, Respondent was instructed to correct the report, report the bonds, and pay an additional \$97.65 in reviewal fees.

6. As of the date of this Order, Respondent has failed to file the corrected report, report the bonds, and pay the additional reviewal fee.

7. During a comparison audit by the OID's Bail Bond Division, Respondent's reports were compared to the Oklahoma County District Court Clerk report. It was discovered that Respondent reported a \$20,000.00 dollar bond he wrote for defendant Gayla McCreight in case number CF-2003-6964 under American Contractors Indemnity Company's power of attorney number AUL-2094828 as \$20.00 on his report.

8. On or about February 10, 2015, a letter was sent to Respondent, via electronic mail, stating that due to the error, he owed \$39.96 in additional reviewal fees and that the bond would need to be correctly reported.

9. As of the date of this Order, the misreported bond has not been corrected on Respondent's reports nor has the additional review fee been paid.

CONCLUSIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(2) and (24); by failing to timely file monthly reports as required by 59 O.S. § 1314(B) and O.A.C. 365: 25-5-36(a)(1) and (b)(1).

2. Respondent has violated 59 OS § 1314(B) (1); by failing to report appearance bonds.

3. Respondent has violated 59 O.S. § 1314(D); by failing to pay reviewal fees.

4. Respondent has violated 59 O.S. § 1310(A)(23); for failing to respond to a properly addressed letter from the Commissioner.

ORDER

IT IS THEREFORE ORDERED that Respondent is FINED Two Thousand Five Hundred Dollars (\$2,500.00). The fine is to be paid prior to any application being filed by Respondent for any type of license the Oklahoma Insurance Department issues.

Respondent is further notified that they may request a hearing within 30 days of the receipt of

this Conditional Administrative 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 Barron B. Brown, Assistant General Counsel, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112, and **give an explanation of Respondent's actions alleged herein and any defenses thereto.**

Any such hearing shall be conducted according to the procedures for contested cases under the Oklahoma Bail Bond 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.

If Respondent does not request a hearing within the 30 days allotted, this Conditional Administrative Order shall become a FINAL ORDER on the 31st day following Respondent's receipt of the Conditional Administrative Order.

WITNESS My Hand and Official Seal this 12th day of January, 2016.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Barron B. Brown


Barron B. Brown
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, 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 regular mail and by certified mail, with postage prepaid and return receipt requested, on this 12th day of January, 2016, to:

Brad Lashley
1103 S. Air Depot Blvd.
Midwest City, Oklahoma 73110-4805

CERTIFIED MAIL NO. 7015 0640 0002 7406 6194



Barron B. Brown
Assistant General Counsel

U.S. Postal Service™
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 Domestic Mail Only

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OFFICIAL USE

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Certified Mail Fee \$ _____

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Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Total Postage and Fees \$ _____



Sent To _____

Street and Apt. No., or PO Box _____

City, State, ZIP+4® _____

PS Form 3800, April 2015 PSN 7530-02-000-9053

Brad Lashley
 1103 S. Air Depot Blvd.
 Midwest City, OK 73110-4805
 rlg/15-0686-DIS(BBB)/Cond. Adm. Ord.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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: _____

Brad Lashley
 1103 S. Air Depot Blvd.
 Midwest City, OK 73110-4805
 rlg/15-0686-DIS(BBB)/Cond. Adm. Ord.



2. Article Number (Transfer from service label)
 7015 0640 0002 7406 6194

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X Brad Lashley Agent Addressee

B. Received by (Printed Name) BRAD Lashley

C. Date of Delivery 1-16-16

RECEIVED OKLAHOMA INSURANCE DEPARTMENT
 Address different from item 1? Yes No
 If YES, enter delivery address below:

JAN 20 2016
 Legal Division
 MWC OK 73130

3. Service Type

Adult Signature Priority Mail Express®

Adult Signature Restricted Delivery Registered Mail™

Certified Mail® Registered Mail Restricted Delivery

Certified Mail Restricted Delivery Return Receipt for Merchandise

Collect on Delivery Signature Confirmation™

Collect on Delivery Restricted Delivery Signature Confirmation Restricted Delivery

Insured Mail Insured Mail Restricted Delivery (over \$500)