

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**  
JUN 23 2015  
INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN )  
DOAK, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
MICHAEL P. MICHIO, )  
an applicant for a nonresident public insurance )  
adjuster license, )  
 )  
Respondent. )

Case No. 15-0700-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 reinstatement of a nonresident public insurance adjuster license in the State of Oklahoma. Respondent's address of record 4651 Roswell Rd. NE, Suite 6-601, Atlanta, Georgia 30342.
3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew an initial license issued pursuant to the Oklahoma Insurance Adjusters 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. § 6219, § 6220(A) and (B).

### **ALLEGATIONS OF FACT**

1. Respondent applied for reinstatement of a nonresident public insurance adjuster license on or about June 16, 2015 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, which has not been previously reported to this insurance department?” 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 actions listed on his record: a license suspension for a failure to comply with financial responsibility requirements violation in

Colorado on or about April 2, 2014 (State Regulatory Information Retrieval System (“RIRS”) Identifier: 7198\_6666); a monetary penalty for an unlicensed insurance activity violation in Indiana on or about July 25, 2014 (RIRS Identifier: 12992\_14088); a monetary penalty for a failure to make a required disclosure on a license application violation in Nevada on or about December 2, 2014 (RIRS Identifier: 14.0416); and a consent order and monetary penalty for a misstatement on a license application violation in Ohio on or about June 9, 2015 (RIRS Identifier: 20213). Respondent did not properly disclose the aforementioned administrative actions in the license application.

### **ALLEGED VIOLATIONS OF LAW**

1. Respondent violated 36 O.S. § 6220(A)(1); material misrepresentation or fraud in obtaining an adjuster’s license.

### **ORDER**

**IT IS THEREFORE ORDERED** by the Insurance Commissioner that Michael P. Michio is **FINED THREE HUNDRED DOLLARS (\$300.00)** for material misrepresentation or fraud in obtaining an adjuster’s license. **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 public insurance adjuster 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 B. 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 23<sup>rd</sup> day of June, 2015.



JOHN DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

A handwritten signature in black ink that reads "Barron B. Brown".

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

**CERTIFICATE OF MAILING**

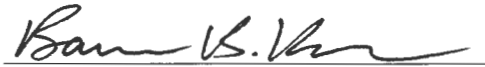
I, Barron B. Brown, hereby certify that a true and correct copy of the above and foregoing Conditional Administrative Order and Notice of Right to be Heard was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 23<sup>rd</sup> day of June, 2015, to:

Michael P. Michio  
4651 Roswell Rd. NE, Suite G-601  
Atlanta, GA 30342

**CERTIFIED MAIL NO. 7015 0640 0004 4933 8378**

and a copy was delivered to:

Nicole Godfrey  
Licensing Division



Barron B. Brown  
Assistant General Counsel

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Michael P. Michio  
 4651 Roswell Rd. NE, Suite G-601  
 Atlanta, GA 30342  
 rlg/15-0700-DEN(BBB)/Cond. Adm. Ord.



7015 0640 0004 4933 8378

PS Form 3800, April 2015

**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:

Michael P. Michio  
 4651 Roswell Rd. NE, Suite G-601  
 Atlanta, GA 30342  
 rlg/15-0700-DEN(BBB)/Cond. Adm. Ord.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name)  Agent  
 Addressee

C. Date of Delivery

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

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

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) 7015 0640 0004 4933 8378

