

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

FILED

OCT 13 2015

INSURANCE COMMISSIONER
OKLAHOMA

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

Case No. 15-0750-DIS

**AMENDED 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, Senior Attorney Kelley Callahan, 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. David Schafer (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 185616.

FINDINGS OF FACT

1. Every bail bondsman license expires biennially at 12:00 midnight on the last day of the bondsman’s birth month. 59 O.S. § 1304.

2. Every bondsman is required to renew his or her license biennially by submitting a completed renewal application by the end of his or her birth month. 59 O.S. § 1309.

3. Approximately forty-five days prior to the expiration of a bondsman’s license,

Oklahoma Insurance Department (“OID”) staff sends an E-mail to the bondsman advising of the license expiration date.

4. Respondent’s birth month is August. Accordingly, his license expired at midnight, March 31, 2015.

5. On August 4, 2015, Respondent renewed his license.

6. Oklahoma Insurance Department personnel conducts audits of late renewals to determine if bondsmen execute any bonds during periods they were not licensed. Investigation of bonds executed in the county and municipality in which Respondent operates, and Respondent’s proactive self-reporting revealed that, during the unlicensed period, Respondent executed fourteen (14) appearance bonds. These bonds totaled approximately \$37,000.00.

CONCLUSIONS OF LAW

1. The allegations are found to be true and correct and Respondent has violated 59 O.S. §§ 1303(A) and 1320(A), and Oklahoma Administrative Code 365:25-5-35(E) by executing bail bonds in Oklahoma without a valid Oklahoma bail bond license.

ORDER

IT IS THEREFORE ORDERED that David Schafer is hereby FINED Three Hundred Seventy Dollars (\$370.00), or one percent of the total value of the bonds he wrote without a renewed license. The fine is to be paid within thirty (30) days of receipt of this Order. Respondent’s license will be suspended if the fine is not paid within the time allowed.

Respondent is further notified that he 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 Buddy Combs, Oklahoma Insurance Department, Legal Division, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112, and provide an explanation of Respondent's actions described herein and any defenses thereto.

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

WITNESS My Hand and Official Seal this 13th day of October, 2015.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Kelley C. Callahan", written over a horizontal line.

KELLEY C. CALLAHAN
Senior Attorney
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405) 522-0125

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Amended Conditional Administrative Order and Notice of Right to be Heard* was mailed via certified mail with return receipt requested on this 13th day of October, 2015, to:

David Schafer
36388 E. County Road 1639
Wynnewood, Oklahoma 73098-9140

Certified Mail No.
7015 0640 0004 4933 5711

A handwritten signature in black ink, appearing to read "Kelley C. Callahan", written over a horizontal line.

KELLEY C. CALLAHAN
Senior Attorney

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Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

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Sent To _____

Street and Apt. No., or PO Box _____

City, State, ZIP+4® _____

David Schafer
 36388 E. County Road 1639
 Wynnewood, OK 73098-9140
 sms/15-1076-DIS/Amd CO
 15-0750

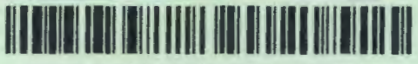
PS Form 3800, April 2015 PSN 7530-02-000-9053

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:

David Schafer
 36388 E. County Road 1639
 Wynnewood, OK 73098-9140
 sms/15-1076-DIS/Amd CO
 0750



9590 9403 0272 5155 1359 82

2. Article Number (Transfer from service label)
 7015 0640 0004 4933 5711

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee

X *David L Schafer*

B. Received by (Printed Name) *David L Schafer*

C. Date of Delivery *10-15-15*

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

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT
 OCT 19 2015
 Legal Division

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

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Return Receipt for Merchandise

Signature Confirmation™

Signature Confirmation Restricted Delivery

PS Form 3811, April 2015 PSN 7530-02-000-9053

Domestic Return Receipt