

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

**STATE OF OKLAHOMA, ex rel. JOHN D.
DOAK, Insurance Commissioner,**)
)
)
Petitioner,)
)
)
v.)
)
STACY FRENCH, a licensed Bail Bondsman)
in the State of Ok,)
)
Respondent.)

FILED
OCT 19 2015
INSURANCE COMMISSIONER
OKLAHOMA

) **Case No. 15-1081-DIS**

ADMINISTRATIVE ORDER

This matter is a disciplinary proceeding under the Oklahoma Bail Bond Act. The Oklahoma Insurance Department (the “Department”) issued an Amended Notice of Hearing and Order to Show Cause on September 23, 2015, alleging that Respondent Stacy French (“French” or “Respondent”) violated numerous provisions of the Bail Bond Act.

The hearing was set before the undersigned Hearing Examiner for October 7, 2015.

Petitioner appeared through Counsel Dan R. Byrd on April 22, 2014. Respondent failed to appear. Petitioner offered proof to support the proper service upon Respondent by certified mail at the Respondent’s current address of record with the Department. Petitioner offered proof to support the allegations of fact and alleged violations of law contained in the Amended Notice of Hearing and Order to Show Cause.

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 is a licensed bail bondsman in the State of Oklahoma holding license number 40087375.

3. The Insurance Commissioner may deny, censure, suspend, revoke, or refuse to renew any license issued pursuant to the Oklahoma Bail Bond Act and/or may levy a fine of not less than \$250.00 but not more than \$2,500.00 for each occurrence of a violation of the Oklahoma Bail Bond Act. 59 O.S. § 1310(A) and (B).

FINDINGS OF FACT

1. On or about August 18, 2015, Respondent submitted electronic fee payments (EFTs) to the Department in the amounts of Three Dollars (\$3.00) for payment of her July 2015 Allegheny Casualty Company surety report, Three Dollars (\$3.00) for payment of her July 2015 Crum & Forster Indemnity Company surety report, and Four Hundred Forty-Six Dollars and Seventy-Nine Cents (\$446.79) for payment of her July 2015 Seneca Insurance Company surety report.

2. On or about September 1, 2015, the Department received notice from the Oklahoma State Treasure that the EFTs submitted by Respondent on August 18, 2015 were returned as insufficient funds.

3. On or about September 1, 2015, Department staff sent a letter via email to Respondent requesting the funds be replaced and the service fees of Seventy Five Dollars (\$75.00) for the EFTs be paid within five days from receipt of the letter. A second request was sent via email on September 10, 2015.

4. On October 7, 2015, after the hearing was held in Respondent's absence, Respondent came to the Department and paid Department staff Five Hundred Twenty-Seven Dollars and

Seventy-Nine Cents (\$527.79) to replace the three EFTs totaling Four Hundred Fifty- Two Dollars and Seventy-Nine Cents (\$452.79) plus Seventy Five Dollars (\$75.00) for the EFTs service fees.

5. Respondent submitted her April 2015 Allegheny Casualty Company (“ACC”) surety report to the Department on Monday, May 18, 2015 — 3 days after the surety report was due on Friday, May 15, 2015.

6. Respondent submitted her May 2015 ACC surety report to the Department on Tuesday, June 16, 2015 — 1 day after the surety report was due on Monday, June 15, 2015.

7. Respondent submitted her July ACC surety report to the Department on Tuesday, August 18, 2015 — 1 day after the surety report was due on Monday, August 17, 2015.

8. Respondent has had numerous violations that resulted in Administrative Actions being filed against her by the Department and the EFT violation is the sixth violation of this type that has been filed against Respondent by the Department and the late report filing is the eleventh violation of this type that has been filed against Respondent by the Department.

CONCLUSIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(2) and (29) by submitting insufficient funds to the Department for payment of her July 2015 Allegheny Casualty Company, Crum & Forster Indemnity Company, and Seneca Insurance Company surety reports.

2. Respondent has violated 59 O.S. § 1310(A)(2) and (24) for failing to file a report as required by Section 1314.

3. Respondent has violated 59 O.S. § 1314(B), which states that “monthly reports shall be submitted electronically to the Insurance Commissioner by the fifteenth day of each month.”

ORDER

Petitioner's testimony offered at hearing support the Allegations of Fact and Alleged Violations of Law in the Amended Notice of Hearing and Order to Show Cause as true and correct.

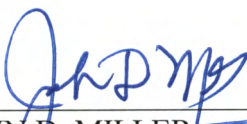
IT IS THEREFORE ORDERED that Stacy French is **FINED** Five Hundred Dollars (\$500.00) and her bail bondsman license is **SUSPENDED** pending payment of Five Hundred Twenty-Seven Dollars and Seventy-Nine Cents (\$527.79) to replace the three EFTs totaling Four Hundred Fifty- Two Dollars and Seventy-Nine Cents (\$452.79) plus Seventy Five Dollars (\$75.00) for the EFTs service fees and the FINE of Five Hundred Dollars and costs of the hearing.

IT IS FURTHER ORDERED that Stacy French is assessed the costs of the hearing in the amount of Sixty-Two Dollars and Fifty Cents (\$62.50), due and payable to the Oklahoma Insurance Department within thirty (30) days after the date of hearing.

The Department has advised that On October 7, 2015, after the hearing was held in Respondent's absence, Respondent came to the Department and paid Department staff Five Hundred Twenty-Seven Dollars and Seventy-Nine Cents (\$527.79) to replace the three EFTs totaling Four Hundred Fifty- Two Dollars and Seventy-Nine Cents (\$452.79) plus Seventy Five Dollars (\$75.00) for the EFTs service fees and Five Hundred Sixty-Two Dollars and Fifty Cents for her FINE and costs of the hearing.

WITNESS My Hand and Official Seal this 16th day of October, 2015.





JOHN D. MILLER
INDEPENDENT HEARING EXAMINER
OKLAHOMA INSURANCE DEPARTMENT

CERTIFICATE OF MAILING

I, Dan R. Byrd, hereby certify that a true and correct copy of the above and foregoing Administrative Order was mailed via certified mail with return receipt requested, and via regular mail, on this 19th day of October, 2015, to:

Stacy French
1330 N. Classen Blvd., Suite G20
Oklahoma City, OK 73106-6837

CERTIFIED MAIL NO: 7015 0640 0004 4933 6077

and that a copy was delivered to:

Bail Bonds Division



DAN R. BYRD
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 522-6330
Fax (405) 522-0125

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PS Form 3800, April 2015 PSN



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Insurance Commissioner
Oklahoma Insurance Department
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3625 N.W. 56th St., Ste. #100
Oklahoma City, OK 73112-1111

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- Print your name and address on the reverse so that we can return the card to you.
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OCT 27 2015

Legal Division

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