## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

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## 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, Dan R. Byrd, 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. §§ 1301-1341.
- 2. Respondent Chasity Dawn Carey ("Respondent") is a licensed bail bondsman in the State of Oklahoma holding license number 100157259.

#### **ALLEGATIONS OF FACT**

- 1. On April 15, 2016, Respondent submitted to the Oklahoma Insurance Department ("Department") Electronic Funds Transfers ("EFT") of Three Dollars (\$3.00) for her RSCC-100157259-March2016-Original-01.DBF report
  - 2. On April 28, 2016, the Oklahoma State Treasurer charged the EFT back to the

Department as "Not Sufficient Funds".

- 3. On April 28, 2016, Department staff sent a letter via email to Respondent requesting that the funds be replaced and a service fee of Twenty-Five Dollars (\$25.00) for the EFT be paid within five days of receipt of the letter.
- 4. On May 10, 2016, Department staff sent a second request letter via email to Respondent requesting the funds be replaced and the service fee paid within five days of receipt of the letter.
  - 5. As of the date of this Order the funds have not been replaced.
- 6. Submitting an insufficient electronic funds transfer to the Department is a violation of 59 O.S. § 1310(A)(29). The Department charges a Twenty-Five Dollar (\$25.00) service fee on all insufficient funds.
  - 7. Failing to pay reviewal fees is a violation of 59 O.S. § 1314(D).
  - 8. Failing to file a report is a violation of 59 O.S. § 1310(A)(24).
- 9. Failing to respond to a properly mailed notification within a reasonable amount of time is a violation of 59 O.S. § 1310(A)(23).

### ALLEGED VIOLATIONS OF LAW

- 1. Respondent has violated 59 O.S. § 1310(A)(29) by uttering insufficient funds to the Commissioner.
  - 2. Respondent has violated 59 O.S. § 1314(D) by failing to pay reviewal fees.
- 3. Respondent has violated 59 O.S. §§ 1310(A)(23) and (24) by failing to respond to a properly mailed notification within a reasonable amount of time and failing to file a report.

- 4. Respondent has violated 59 O.S. § 1310(A)(2) by violating a law of this state relating to bail.
- 5. Pursuant to 59 O.S. § 1310(B), "any person violating any provision of Sections 1301 through 1340 of this title may be subject to a civil penalty of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each occurrence."

#### **ORDER**

**IT IS THEREFORE ORDERED** that Chasity Dawn Carey is **FINED** Five Hundred Dollars (\$500.00).

Respondent is further notified that he may request a hearing within thirty (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, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112, and state the basis for requesting the hearing.

If Respondent has not paid the fine ordered herein and filed her report with the Department and does not request a hearing within the thirty (30) days allotted, this Order shall become a FINAL ORDER on the thirty-first (31st) day following the receipt of the Order, Respondent's license shall be immediately suspended, and the fine ordered herein shall be due.

# WITNESS My Hand and Official Seal this 3<sup>rd</sup> day of June, 2016.



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 June, 2016, to:

Chasity Dawn Carey 922 S. Meyers Ave. Cushing, OK 74023-4749

CERTIFIED MAIL NO: 7015 3010 0001 4736 7386

Dan R. Byrd

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul> <li>Complete items 1, 2, and 3.</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>Chasity Dawn Carey 922 S. Meyers Ave. Cushing, OK 74023-4749 16-0534-DIS/DRB(mt) (Cond.Adm.Ord. &amp; Notice~6-03-16)</li> </ul>	A. Siddature  X	
9590 9403 0272 5155 0764 14  2. Article Number (Transfer from service label) 7015 3010 0001 4735 7385	3. Service Type  □ Adult Signature □ Adult Signature Restricted Delivery □ Certified Mail® □ Certified Mail Restricted Delivery □ Collect on Delivery □ Collect on Delivery □ Insured Mail □ Insured Mail Restricted Delivery (over \$500)  □ Priority Mail Express® □ Registered Mail™ □ Registered Mail Restricted Delivery □ Return Receipt for Merchandise □ Signature Confirmation™ □ Signature Confirmation Restricted Delivery (over \$500)	
PS Form 3811, April 2015 PSN 7530-02-000-9053	Domestic Return Receipt	