

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

FILED

APR 24 2017

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,)
)
)
Petitioner,)
)
v.)
)
)
KEATON BEHRENDSEN,)
a licensed insurance)
producer in the State of Oklahoma,)
)
)
Respondent.)

Case No. 16-0883-DIS

ADMINISTRATIVE ORDER

This matter is a proceeding under the Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.*, and conducted pursuant the Oklahoma Administrative Procedures Act, 75 O.S. §§ 301 *et seq.*, whereby Respondent, Keaton Behrendsen ("Respondent") is an Oklahoma licensed insurance producer in the state of Oklahoma holding license number 100129610. The Oklahoma Insurance Department ("OID") issued a Notice of Hearing and Order For Show Cause alleging violations of the provisions of Title 36 and setting this matter for hearing on January 26, 2017. Failing to obtain timely service, an Order Resetting the Hearing was filed and served on Respondent on February 21, 2017, and setting the hearing for March 28, 2017, at 10:00 a.m. at the office of the Oklahoma Insurance Department, 3625 N.W. 56th Street, Suite 100, Oklahoma City, Oklahoma.

On March 28, 2017, the above captioned case came on for hearing at OID and testimony and evidence was received at that time. Oklahoma Insurance Commissioner John D. Doak appointed the undersigned independent Hearing

Examiner, John D. Miller, to preside at the hearing as a quasi-judicial officer pursuant to 36 O.S. § 319. The hearing was recorded electronically by employees of the Oklahoma Insurance Department ("OID"). Petitioner was represented by Senior Counsel Sandra G. LaVenue. Respondent appeared without counsel and announced that she wished to proceed without counsel. Testimony and evidence was heard before the undersigned Hearing Examiner including the admission of exhibits into evidence. Therefore, after consideration of the testimony and evidence presented, this independent Hearing Examiner issues his order of findings of fact and conclusions of law.

FINDINGS OF FACT

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.

2. The Insurance Commissioner, pursuant to 36 O.S. § 319, appointed an independent Hearing Examiner and that Hearing Examiner has the jurisdiction to determine if there is evidence to support a finding by clear and convincing evidence that Respondent's actions as alleged in the OID Notice of Hearing and Order for Show Cause issued on December 28, 2016, were established by the evidence and were in violation of the Oklahoma Insurance Code.

3. Respondent, on or about February 10, 2016, purchased a 2009 Chrysler Aspen, and insured the vehicle that same day with Geico Insurance

("Geico").

4. On February 14, 2016, Respondent lowered the deductible from \$500.00 to \$250.00.

5. Respondent filed an insurance claim on February 16, 2016, stating that the accident took place on February 15, 2016, and that a friend by the name of Mark Edward jeans ("Jeans") was driving the Chrysler at the time of the accident. On February 18, 2016, Respondent reported to the Geico investigator, Charles Walker "Walker", that immediately after the accident, Jeans purchased spray paint and glue from Wal-Mart to try and fix the damage.

6. Respondent provided Walker with the Wal-Mart bag with the spray paint and glue inside. Walker noticed that also in the bag was a receipt showing that the spray paint and glue were purchased on February 12, 2016, one day before Respondent lowered the deductible on the car insurance policy.

7. When confronted with the receipt showing Respondent that the purchase of the spray paint and glue were made on February 12, 2016, prior to Respondent lowering the deductible on the Aspen, Respondent withdrew her insurance claim on February 18, 2016.

8. Respondent testified that she had the flu the weekend that the accident occurred and did not completely remember everything, but after being confronted with the evidence she admitted that she committed insurance fraud.

9. The Oklahoma Insurance Code ("Code") found at 36 O.S. § 1435.13 (A) and (D) grants the Insurance Commissioner the right to place on

probation, censure, suspend, revoke or refuse to issue or renew a producer license pursuant to the Oklahoma Producer Licensing Act and/or may levy a civil penalty up to \$1,000.00 for each occurrence of a violation of the Code.

10. 36 O.S. § 1435.13(A)(7) and (A)(8) states that it is a violation of the Producer Licensing Act for a producer to present a false or fraudulent insurance claim or use fraudulent, coercive or dishonest practices in the conduct of business in the state of Oklahoma.

CONCLUSIONS OF LAW

1. Respondent Behrendsen violated 36 O.S. 1435.13(A)(7) and (A)(8) by presenting a false or fraudulent insurance claim and by using fraudulent, coercive or dishonest practices, or demonstrating untrustworthiness in the conduct of business in the state of Oklahoma.

ORDER


IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that it has been established by clear and convincing evidence that Respondent, Keaton Behrendsen, violated 36 O.S. § 1435.13(A)(7) and (A)(8) of the Oklahoma Insurance Code by submitting a false or fraudulent insurance claim and by using fraudulent, coercive or dishonest practices or by demonstrating untrustworthiness in the conduct of business in the state of Oklahoma, and as a result, Keaton Behrendsen's producer license is hereby REVOKED.

IT IS FURTHER ORDERED that Respondent Keaton

Behrendsen is assessed the costs of this matter in the amount of EIGHTY-TWO DOLLARS and FIFTEEN CENTS (\$82.15) to be paid to the Oklahoma Insurance Department within thirty (30) days of receipt of this order.

WITNESS My Hand and Official Seal this 20th day of April, 2017.





JOHN D. MILLER, OBA # 6213
INDEPENDENT HEARING EXAMINER
OKLAHOMA INSURANCE DEPARTMENT

CERTIFICATE OF MAILING

I, Sandra G. LaVenue, hereby certify that a true and correct copy of the above and foregoing Administrative Order was mailed certified, return receipt requested on this 24th day of April, 2017, to:

Keaton Behrendsen
7930 NW 21st Apt. A18
Bethany, Oklahoma 73008-5344

and a copy was delivered to:

Chief Rick Wagnon
OID Anti-Fraud Unit



Sandra LaVenue
Senior Counsel

① A 4/26/17 KE ✓

W.S.L
5/11

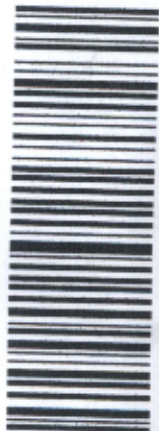
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MAY 16 2017
Legal Division



JOHN D. DOAK
Insurance Commissioner
Oklahoma Insurance Department
5 Corporate Plaza
3625 N.W. 56th St., Ste. #100
Oklahoma City, OK 73112-4511

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Keaton Behrendsen
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7930 NW 21st Apt. A18

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Keaton Behrendsen

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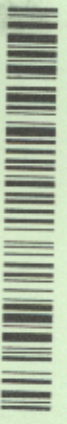
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Keaton Behrendsen
 7930 NW 21st Apt. A18
 Bethany, Oklahoma 73008-5344
 sms/16-0883-DIS/Final Order



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

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Agent

Addressee

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MAY 16 2017

Legal Division

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