

FILED
OCT 17 2016
INSURANCE COMMISSIONER
OKLAHOMA

Case No. 16-0943-DEN

COMES NOW the State of Oklahoma, ex rel. John Doak, Insurance Commissioner, by and through his counsel, Sara A. Worten, and alleges and states as follows:

3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Oklahoma Producer 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. § 1435.13(A) and (D).

ALLEGATIONS OF FACT

1. Respondent applied for a resident insurance producer license on or about October 5, 2016, with the Oklahoma Insurance Department (“OID”). On the application form, question 1A asks the following: “Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?” Respondent answered “no” to this question.

2. The application provides that individual applicants can only exclude “the following misdemeanor convictions or pending misdemeanor charges: traffic citations, driving under the influence (DUI), driving while intoxicated (DWI), driving without a license, reckless driving, or driving with a suspended or revoked license.” Applicants are also permitted to “exclude juvenile adjudications (offenses where you were adjudicated delinquent in a juvenile court).”

3. An Oklahoma Supreme Court Network (“OSCN”) background check by the OID Licensing Division showed that Respondent has been convicted of three misdemeanors: State of Oklahoma v. Charles A. Atchison, Case Number CM-09-3745 on one count of Obtaining Cash or Merchandise by Bogus Check/False Pretenses and State of Oklahoma v. Charles A. Atchison, Case Number CM-2012-2967 Count 1: Obstructing Officer and count 2: Transporting Open Container of Beer.

ALLEGED VIOLATIONS OF LAW

1. Respondent violated 36 O.S. § 1435.13(A)(1); providing incorrect, misleading, incomplete or materially untrue information in the license application.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner that Respondent is

hereby **CENSURED** and **FINED THREE HUNDRED DOLLARS (\$300.00)** for a violation of 36 O.S. § 1435.13(A)(1). **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 resident insurance producer 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 Sara A. Worten, Oklahoma Insurance Department, Legal Division, 3625 NW 56th 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 17th day of October, 2016.



JOHN DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in dark ink, appearing to read "Sara A. Worton", written over a horizontal line.

Sara A. Worton
Assistant General Counsel
3625 NW 56th St., Suite 100
Oklahoma City, OK 73112
(405) 521-2746

CERTIFICATE OF MAILING

I, Sara A. Worton, 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 certified mail, with postage prepaid and return receipt requested, on this 17th day of October, 2016, to:

Charles Atchison
3732 NW Liberty Street
Oklahoma City, OK 73107

CERTIFIED MAIL NO. 7016 0910 0000 5833 3257

and a copy was delivered to:

Karen Wojtek
Licensing Division

A handwritten signature in dark ink, appearing to read "Sara A. Worton", written over a horizontal line.

Sara A. Worton
Assistant General Counsel

7016 0910 0000 5833 3257

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☐ Adult Signature Required

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Postage

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Total Postage and Fees

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Sent To

Street and Apt. No., or PO Box

City, State, ZIP+4[®]

Charles Atchison
3732 NW Liberty Street
Oklahoma City, OK 73107
16-0943-DEN/SAW(mt)
(Cond.Adm.Ord. & Notice ~10-17-16)

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

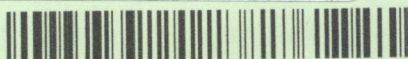


SENDER: COMPLETE THIS SECTION

- 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:

Charles Atchison
3732 NW Liberty Street
Oklahoma City, OK 73107
16-0943-DEN/SAW(mt)
(Cond.Adm.Ord. & Notice ~10-17-16)



9590 9402 1900 6104 4164 53

2. Article Number (Transfer from service label)

7016 0910 0000 5833 3257

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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OKLAHOMA INSURANCE DEPARTMENT

3. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

OCT 21 2016

Legal Division



3. Service Type

☐ Adult Signature

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☒ Certified Mail[®]

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

Domestic Return Receipt