

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

DEC 08 2016

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
DANA PARNELL, an applicant for a non-)
resident insurance adjuster license,)
)
)
Respondent.)

INSURANCE COMMISSIONER
OKLAHOMA

CASE NO. 16-1014-DEN

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, Sandra G. LaVenue, and alleges and states as follows:

JURISDICTION AND AUTHORITY

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 et seq., including the Oklahoma Insurance Adjusters Licensing Act, 36 O.S. §§ 6201-6223.

2. Dana Parnell ("Respondent") is an applicant for a non-resident insurance adjuster license in the State of Oklahoma. Respondent's mailing address of record is 2034B Greenview Dr., Carrollton, TX 75010.

3. The Insurance Commissioner may censure, suspend, revoke, or refuse to issue or renew a license issued pursuant to the Oklahoma Insurance Adjuster Licensing

Act and/or may levy a fine up to \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code pursuant to 36 O.S. § 6220(A) and (B).

4. If Respondent requests a hearing in writing in this matter, pursuant to OAC 365:1-7-1, the Insurance Commissioner, pursuant to 36 O.S. § 319, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

5. The Insurance Commissioner, pursuant to OAC 365:1-7-5, upon written request reasonably made by a person affected by the hearing and at such person's expense, shall cause a full stenographic record of the proceedings to be made by a competent court reporter.

ALLEGATIONS OF FACTS

6. Respondent applied for a non-resident insurance adjuster license on or about November 8, 2016, with the Oklahoma Insurance Department ("OID"). On the application form, question 2 asks the following: "Have you ever been named or involved as a party in an administrative proceeding, including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration...." Respondent answered "no" to this question.

7. A background check by the OID Licensing Division showed that Respondent was a party to an administrative proceeding regarding his professional license with the Florida Department of Financial Services, wherein a Consent Order was entered on December 18, 2006.

8. Pursuant to 36 O.S. § 6220(A)(12), it is a violation of the Adjuster Licensing Act for an adjuster to obtain or attempt to obtain a license through misrepresentation or fraud.

ALLEGED CONCLUSIONS OF LAW

9. Respondent has violated 36 O.S. § 6220(A)(12) by attempting to obtain a non-resident adjuster license through misrepresentation or fraud in his license application submitted on November 8, 2016.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that Respondent is hereby **CENSURED** and **FINED TWO HUNDRED AND FIFTY DOLLARS (\$250.00)** for a violation of 36 O.S. § 6220(A)(12). The **\$250.00 fine is to be paid within thirty (30) days** of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. The \$250.00 civil fine shall be paid by money order or cashier's check. Respondent's application for a non-resident insurance adjuster 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 license application being withdrawn.

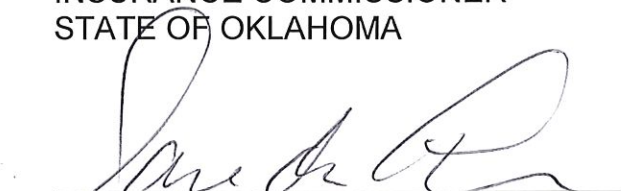
IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first (31st) day following the mailing of this Order. A request for

hearing shall be in writing and addressed to Sandra LaVenue, Oklahoma Insurance Department, Legal Division, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112. Additionally, the request for hearing shall state the grounds for the request to set aside or modify the Order. The request shall be served on the Oklahoma Insurance Department within the thirty (30) days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.*, and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 *through* 323. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as a 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 6th day of December, 2016.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


Sandra LaVenue OBA# 13372
Oklahoma Insurance Department
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112
(405) 521-2746

CERTIFICATE OF MAILING

I, Sandra LaVenue, 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 December, 2016, to:

Dana Parnell
2034B Greenview Dr.
Carrollton, TX 75010

CERTIFIED MAIL NO. 7016 0910 0000 5833 6678

and a copy was delivered to:

Nicole Godfrey
Licensing Division



Sandra LaVenue
Senior Counsel

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Postage \$ _____

Total Postage and Fees \$ _____



Sent To Dana Parnell
2034B Greenview Dr.
Carrollton, TX 75010

Street and Apt. No., or PO Box

City, State, ZIP+4® sms/16-1014-DEN/Cond Ord

PS Form 3800, April 2015 PSN 75302400000047

CERTIFIED MAIL



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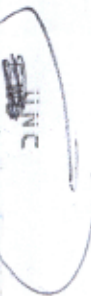


ZIP 041M1

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT
JAN 27 2017
Legal Division

Handwritten: Dana Parnell
12/19


 Dana Parnell
 2034B Greenview Dr.
 Carrollton, TX 75010



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2034B Greenview Dr.
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PS Form 3800, April 2015 PSN 7530-02-000-9053

2017 JAN 26 PM 1 51

PLACE STICKER TOP OF ENVELOPE TO THE RIGHT
OF THIS RETURN ADDRESS FOLDED DOTTED LINE

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:

Dana Parnell
2034B Greenview Dr.
Carrollton, TX 75010
sms/16-1014-DEN/Cond Ord



9590 9402 1736 6074 9331 79

2. Article Number (Transfer from service label)

7016 0910 0000 5833 6678

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

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
- B. Received by (Printed Name) _____ C. Date of Delivery _____
- D. Is delivery address different from item 1? Yes No
 If Yes, enter delivery address below: _____

OKLAHOMA INSURANCE DEPARTMENT

JAN 27 2017

Legal Division

3. Service Type
- Adult Signature
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- 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

Domestic Return Receipt