



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. § 1435.13(A) and (D).

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 resident insurance producer license on or about January 31, 2017, with the Oklahoma Insurance Department ("OID"). On the application form, question 1B asks the following: "Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?" Respondent answered "no" to this question.

7. An Oklahoma Supreme Court Network ("OSCN") background check by the OID Licensing Division showed that Respondent plead guilty to the felony of grand larceny in Cleveland County case number CF-2001-283. Additionally, Respondent was placed on a four (4) year deferred sentence on September 5, 2001.

8. Pursuant to 36 O.S. § 1435.13(A)(1), it is a violation of the Producer Licensing Act for a producer to provide incorrect, misleading, incomplete or materially untrue information in a license application.

### ALLEGED CONCLUSIONS OF LAW

9. Respondent has violated 36 O.S. § 1435.13(A)(1) by providing incorrect, misleading, incomplete or materially untrue information in his license application submitted on January 21, 2017.

### 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. § 1435.13(A)(1). 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 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 license application being withdrawn.

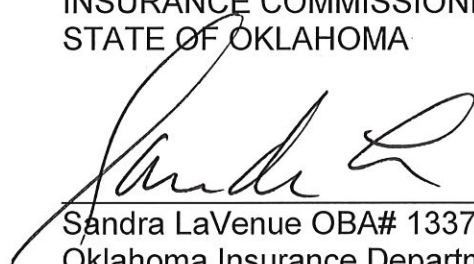
**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the mailing of this Order. A request for hearing shall be in writing addressed to Sandra LaVenue, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> 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 1<sup>st</sup> day of February 2017.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

  
Sandra LaVenue OBA# 13372  
Oklahoma Insurance Department  
3625 NW 56<sup>th</sup> 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 7<sup>th</sup> day of February 2017, to:

Mark Randall Garvin  
3725 SW 23<sup>rd</sup> St.  
Oklahoma City, OK 73108.

**Certified Mail No.**  
7016 0910 0000 8401 7176

**CERTIFIED MAIL NO.**

and a copy was delivered to:

Karen Wojtek  
Licensing Division



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Sandra LaVenue  
Senior Counsel

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Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

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Mark Randall Garvin  
 3725 SW 23rd St.  
 OKC, OK 73108  
 sms/17-0091-DEN/Cond Ord

PS Form 3800, April 2015 PSN

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- 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.

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Mark Randall Garvin  
 3725 SW 23rd St.  
 OKC, OK 73108  
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9590 9402 1736 6074 9244 05

2. Article Number (Transfer from service label)

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**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Mark Garvin*

B. Received by (Printed Name) *MARK GARVIN*

C. Date of Delivery *FEB 9 2017*

OKLAHOMA INSURANCE DEPARTMENT  
 Legal Division



3. Service Type

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