

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. )  
DOAK, Insurance Commissioner, )  
 )  
 )  
Petitioner, )  
 )  
vs. )  
 )  
 )  
ISAAC EUGENE SCHULTZ )  
an applicant for a resident )  
insurance producer license, )  
 )  
Respondent. )

FILED

MAR 02 2017

INSURANCE COMMISSIONER  
OKLAHOMA

CASE NO. 17-0110-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 Producer Licensing Act, 36 O.S. §§ 1435.1 *through* 1435.41.

2. Isaac Eugene Schultz ("Respondent") is an applicant for a resident insurance producer license in the State of Oklahoma. Respondent's mailing address of record is 25420 E. 92<sup>nd</sup> Terrace South, Broken Arrow, Oklahoma 74014.

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 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 February 8, 2017, 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? You may 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." Respondent answered "no" to this question.

7. Respondent applied for a resident insurance producer license on or about February 8, 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.

8. An Oklahoma Supreme Court Network ("OSCN") background check by the OID Licensing Division showed that Respondent plead nolo contendere to the misdemeanor crime of Transporting a Loaded Firearm in a Motor Vehicle and also plead nolo contendere to the felony crime of DUI Alcohol-Second Offense in Tulsa County case number CF-2015-3721. Additionally, Respondent was placed on a two (2) year deferred sentence on both counts on January 4, 2016, which is not scheduled to expire until January 4, 2018.

9. 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**

10. 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 February 8, 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 2<sup>nd</sup> day of March, 2017.

JOHN D. DOAK



INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Sandra LaVenue", written over a horizontal line.

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 21<sup>st</sup> day of March, 2017, to:

Isaac Eugene Schultz  
25420 E. 92<sup>nd</sup> Terrace South  
Broken Arrow, Oklahoma 74014.

**CERTIFIED MAIL NO.** 7016 0910 0000 8401 1235

and a copy was delivered to:

Karen Wojtek  
Licensing Division

A handwritten signature in black ink, appearing to read "Sandra LaVenue", written over a horizontal line.

Sandra LaVenue  
Senior Counsel

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Adult Signature Required \$ \_\_\_\_\_

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Total Postage and Fees  
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Sent To  
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Street and Apt. No., or PO Box  
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City, State, ZIP+4®  
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Isaac Eugene Schultz  
 25420 E. 92nd Terrace South  
 Broken Arrow, OK 74014  
**sms/17-0110-DEN/Cond Ord**

PS Form 3800, April 2015 PER

7016 0910 0000 8401 1235

**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:

Isaac Eugene Schultz  
 25420 E. 92nd Terrace South  
 Broken Arrow, OK 74014  
**sms/17-0110-DEN/Cond Ord**



9590 9402 1900 6104 3976 15

2. Article Number (Transfer from service label)  
**7016 0910 0000 8401 1235**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

Agent  
 Addressee

B. Received by (Printed Name) Isaac Schultz C. Date of Delivery 3/4/17

RECEIVED  
 OKLAHOMA INSURANCE DEPARTMENT  
 MAR 07 2017  
 Legal Division

1. If delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Insured Mail

Insured Mail Restricted Delivery (over \$500)

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Registered Mail Restricted Delivery

Return Receipt for Merchandise

Signature Confirmation™

Signature Confirmation Restricted Delivery

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

Domestic Return Receipt