

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

**FILED**  
JUN 29 2017  
INSURANCE COMMISSIONER  
OKLAHOMA

**STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,** )  
)  
)  
**Petitioner,** )  
)  
**vs.** )  
)  
**TINA GANTHER, a licensed bail bondsman in the State of Oklahoma,** )  
)  
**Respondent.** )

**CASE NO. 17-0249-DIS**

**ADMINISTRATIVE ORDER**

This matter is a proceeding under the Oklahoma Bail Bond Code, *59 O.S. §§ 1301 et seq.*, 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, Tina Ganther (“Respondent”) is an Oklahoma licensed bail bondsman in the state of Oklahoma holding license number 199264. On May 11, 2017, the Oklahoma Insurance Department (“OID”) issued a Notice of Hearing and Order to Show Cause and subsequently issued an Amended Notice of Hearing and Order to Show Cause on May 30, 2017, alleging violations of the provisions of Title 59 of the Oklahoma Statutes and setting this matter for hearing on June, 7, 2017, at 10:00 a.m. at the office of the Oklahoma Insurance Department, 3625 N.W. 56<sup>th</sup> Street, Suite 100, Oklahoma City, Oklahoma. Legal service of summons was sent to Respondent to her mailing address on file with the OID to which it was returned as unclaimed. Legal service of summons was achieved by serving Respondent at her business address of record by certified mail return receipt requested.

On June 7, 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, Stephen Mathis, to preside at the hearing as a quasi-judicial officer pursuant to *59 O.S. § 1311.1(B)*. The hearing was recorded electronically by employees of the Oklahoma Insurance Department (“OID”). Petitioner was represented by Assistant General Counsel, Sara A. Worten. Respondent did not appear at the hearing. 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 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, *36 O.S. §§ 101-7401*, and the Oklahoma Bail Bond Act, *59 O. S. §§ 1301-1341*.

2. Respondent Tina Ganther (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 199264 with previous surety appointments from Crum & Forester Indemnity Company (“CFIC”), and Safety National Casualty Corporation (“SNCC”), and a current appointment with Seneca Insurance Company (“SIC”). Respondent’s mailing address of record with the Oklahoma Insurance Department is 8640 NE 33<sup>rd</sup>, Spencer, Oklahoma 73084.

3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to *59 O.S. § 1310*.

4. The Insurance Commissioner, pursuant to *59 O.S. § 1311.1(B)*, 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 Amended Notice of Hearing and Order for Show Cause issued on March 30, 2017, were established by the evidence and were in violation of the Oklahoma Bail Bond Code.

5. The hearing was recorded electronically by an employee of the Oklahoma Insurance Department. Neither party requested a full stenographic record of the proceedings.

6. The following exhibits were introduced and admitted

- a. Petitioner's Exhibit 1 - Historical/Financial Transaction Report
- b. Petitioner's Exhibit 2 - Treasury Report for insufficient funds for February CFIC and SNCC reports.
- c. Petitioner's Exhibit 3 - Treasury Report for insufficient funds for February SIC report.
- d. Petitioner's Exhibit 4 - Treasury Report for insufficient funds for February Amended SNCC Report.

7. Lewis Garrison, Manager of the OID's Bail Bond Division was sworn and testified under oath.

8. Pursuant to *59 O.S. § 1314(B)* and *OAC 365:25-5-36(a)*, every licensed bondsman shall electronically submit monthly reports for each line of authority by the fifteenth day of each month. The fee to upload the report to the electronic system is three dollars (\$3.00) (the "Submittal Fee").

9. Respondent's January 2017 SNCC report was due February 15, 2017. Respondent submitted the report one (1) day late on February 16, 2017.

10. Respondent's February 2017 SNCC report was due March 15, 2017. Respondent submitted the report five (5) days late on March 20, 2017.

11. Respondent's March 2017 SNCC report was due April 17, 2017. Respondent

submitted the report three (3) days late on April 20, 2017.

12. Respondent's March 2017 CFIC report which was due no later than April 17, 2017 was untimely submitted on May 31, 2017.

13. Respondent's March 2017 SIC report which was due no later than April 17, 2017 was untimely submitted on May 16, 2017

14. In March 2017, Respondent submitted her February SNCC report.

15. On or about March 30, 2017, the State Treasurer notified the Oklahoma Insurance Department (the "Department") that Respondent submitted insufficient funds for payment of the Submittal Fee for the SNCC report.

16. In March 2017, Respondent submitted her February CFIC report.

17. On or about March 30, 2017, the State Treasurer notified the Department that Respondent submitted insufficient funds for payment of the Submittal Fee for the CFIC report.

18. In March 2017, Respondent submitted her February SIC report.

19. On or about March 28, 2017, the State Treasurer notified the Department that Respondent submitted insufficient funds for payment of the Submittal Fee for the SIC report.

20. In March 2017, Respondent submitted her SNCC February report.

21. On or about April 5, 2017, the State Treasurer notified the Department that Respondent submitted insufficient funds for payment of the Submittal Fee for the Amended SNCC report.

#### **CONCLUSIONS OF LAW**

22. Respondent has violated *59 O.S. § 1310(A)(2) and (24)*, on five (5) occasions by failing to file her monthly reports by the fifteenth day of the following month in accordance with



the provisions of 59 O.S. § 1314(B).

23. Respondent has violated 59 O.S. § 1310(A)(2) and (29), on four occasions by submitting insufficient electronic funds transfers to the Department associated with the monthly reports.


**ORDER**

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that it has been established by clear and convincing evidence that Respondent Ganther violated 59 O.S. § 1310(A)(2), (24), and (29) of the Oklahoma Bail Bond Code by failing to timely file reports and failing to submit payments due to the Oklahoma Insurance Department and as a result Respondent Tina Ganther's bail bondsmen license is **REVOKED**.

**IT IS FURTHER ORDERED** that Respondent, is assessed the costs of this matter in the amount of One Hundred Twenty-Five Dollars (\$125.00) to be paid to the Oklahoma Insurance Department within thirty (30) days of receipt of this order.

**WITNESS My Hand and Official Seal** this 29 day of June, 2017.



  
\_\_\_\_\_  
STEPHEN MATHIS  
INDEPENDENT HEARING EXAMINER  
OKLAHOMA INSURANCE DEPARTMENT

**CERTIFICATE OF MAILING**

I, Sara A. Worten, hereby certify that a true and correct copy of the above and foregoing Administrative Order was mailed certified, return receipt requested on this 29<sup>th</sup> day of June, 2017, to:

Tina Ganther  
8640 NE 33<sup>rd</sup>  
Spencer, OK 73084


**CERTIFIED MAIL NO. 7016 2140 0000 3510 7126**

Assurance Bail Bonds  
4500 N. Lincoln Blvd.  
Suite 200  
Oklahoma City, OK 73105-3406

**CERTIFIED MAIL NO. 7016 2140 0000 3510 7133**

and a copy was delivered to:

Lewis Garrison  
Renonda Stogsdill  
Bail Bonds Division

  
Sara A. Worten  
Assistant General Counsel



**JOHN D. DOAK**  
**Insurance Commiss**  
 Oklahoma Insurance Dept:  
 5 Corporate Plaza  
 3625 N.W. 56th St., Ste. #  
 Oklahoma City, OK 73112

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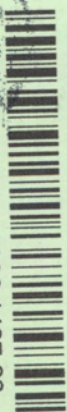
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17-0249-DIS(SAW/mt)  
Adm. Ofc. ~6-29-17

OKLAHOMA INSURANCE

JUL 21 2017

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**JOHN D. DOAK**  
**Insurance Comm**  
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