

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

FILED
APR 13 2017
INSURANCE COMMISSIONER
OKLAHOMA

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

CASE NO. 17-0251-DIS

**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 his attorney, Lisa M. Torneten, 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. §§ 101-7301*, and the Oklahoma Bail Bond Act, *59 O. S. §§ 1301-1340*.
2. Respondent Justin Dowell (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 199997.
3. Pursuant to *59 O.S. §§ 1310(B)*, in addition to any potential denial, censure, suspension, or revocation, any person violating any provision of the Oklahoma Bail Bond Act may be subject to a civil penalty of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each occurrence.

ALLEGATIONS OF FACT

1. *59 O.S. § 1314(D)* requires each bail bondsman to submit to the Insurance

Commissioner a monthly report of the bondsman. If new liability is written that month, the bail bondsman is required to submit a reviewal fee to the Insurance Commissioner. The amount of the reviewal fee is equal to two-tenths of one percent (2/10 of 1%) of the new liability written for that month. The Insurance Commissioner then transfers the funds to the Office of the State Treasurer pursuant to *59. O.S. § 1314(D)*.

2. In March 2017, Respondent submitted his February 2017 monthly report showing the new bonds written for the month.

3. Based on the February 2017 report, Respondent owed One Hundred Twenty-Two and No/100 Dollars (\$122.00) in reviewal fees.

4. On March 24, 2017, the State Treasurer notified the Oklahoma Department of Insurance (the "Department") that Respondent owed One Hundred Twenty-Two and No/100 Dollars (\$122.00) in reviewal fees and reported that he submitted insufficient funds for payment of those reviewal fees on March 15, 2017.

5. As of the date of filing this Conditional Order, Respondent has not paid the \$122.00 due in reviewal fees for his February 2017 liability.

ALLEGED VIOLATIONS OF LAW

1. Respondent has violated *59 O.S. § 1310(A)(29)* for uttering insufficient electronic funds transfer for payments received by the Commissioner from the Respondent.

2. Pursuant to *59 O.S. § 1310(B)*, any person violating any provision of Sections *1301* through *1340* may be subject to a civil penalty of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each occurrence.

ORDER

IT IS THEREFORE ORDERED that Justin Dowell is **FINED** Two Hundred and Fifty Dollars (\$250.00). The fine is to be paid within thirty (30) days of receipt of this order.

Respondent is further notified that he may request a hearing within thirty (30) days of receipt of this Order, and upon such request, the Oklahoma Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Lisa M. Torneten, Assistant General Counsel, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112, and shall specify the grounds to be relied upon as a basis for relief demanded at the hearing.

If Respondent does not request a hearing within the thirty (30) days allotted, this Conditional Administrative Order shall become a FINAL ORDER on the 31st day following Respondent's receipt of the Order.

WITNESS My Hand and Official Seal this 13TH day of April, 2017.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in cursive script, appearing to read "Lisa M. Torneten".

Lisa M. Torneten
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112
Tel. (405) 522-26330
Fax (405) 522-0125

CERTIFICATE OF MAILING

I 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 certified, return receipt requested, on this 13TH day of April, 2017 to the following:

Justin Dowell
809 Robert S. Kerr Avenue
Oklahoma City, OK 73106-7607

CERTIFIED MAIL NO. 7016 0910 0000 8401 3956



Lisa M. Torneten
Assistant General Counsel

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Justin Dowell
 809 Robert S. Kerr Avenue
 Oklahoma City, OK 73106-7607
17-0251-DIS/LMT(mt)
(Cond. Adm. Ord. & Notice ~4-13-17)

Street and Apt. No., or PO Box

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7016 0910 0000 8401 3956

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<ul style="list-style-type: none"> 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. 	<p>A. Signature  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> Justin Dowell 809 Robert S. Kerr Avenue Oklahoma City, OK 73106-7607 17-0251-DIS/LMT(mt) (Cond. Adm. Ord. & Notice ~4-13-17) </div>	<p>B. Received by (Printed Name) RECEIVED OKLAHOMA INSURANCE DEPARTMENT APR 18 2017 Legal Division</p>	<p>C. Date of Delivery _____</p>
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