

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

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

FILED
MAY 26 2017

INSURANCE COMMISSIONER
OKLAHOMA

CASE NO. 17-0300-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 counsel, Julie Meaders, and alleges and states as follows:

JURISDICTION

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. §§ 1301-1340*.
2. Respondent Kyle David Carter (“Carter”) is a licensed bail bondsman in the State of Oklahoma holding license number 100179746. His purported business address is 10709 NW 35th Street, Yukon, OK 73099.
3. Pursuant to *59 O.S. § 1310(B)*, the Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and, 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.

ALLEGED FINDINGS OF FACT

1. Respondent is a bail bondsman doing business as C&K Bail Bonds. His given business address, mailing address and residence address to the Department is 10709 NW 35th Street, Yukon, OK 73099.

2. C&K Bail Bonds is located at 2519 SW 59th Street, Oklahoma City, OK 73119. Respondent conducts his bail bond business and maintains all records at this location. Bail Bond Manager Lewis Garrison met Respondent at his office located at 2519 SW 59th Street on March 29, 2017, and advised him to update his business and mailing address with the Department to reflect the correct address. As of this date, Respondent has failed to do so.

3. Respondent failed to list a mortgage for property located at 2660 SW 40th Street in Oklahoma City as collateral on his Affidavit as to Undertaking in *State v Flores*; Oklahoma County Case No. CF-2015-5116. He subsequently failed to list this same mortgage as collateral on his required monthly report to the Department.

ALLEGED VIOLATIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(2) by failing to correct his business and mailing address to the Department.

2. Every bondman shall file with the Affidavit of Undertaking stating whether or not the bondsman or anyone for the use of the bondsman has been promised or has received any security or consideration for the undertaking, and if so, the nature and amount thereof, and the name of the person by whom the promise was made or from whom the security or consideration was received. 59 O.S. § 1322. An Affidavit of Undertaking shall be included on every appearance bond and shall declare the amount of the premium (consideration) and security (collateral) received or promised. Information provided on the Affidavit as to Undertaking shall

correspond with the information contained in the following: (1) appearance bond; (2) bondman's office records; and monthly report. 365: 25-5-39.

3. Respondent has violated 59 O.S. § 1310(A)(2) in failing to list the collateral on the Affidavit of Undertaking and monthly report.

4. Pursuant to 59 O.S. § 1310(B), any bondsman violating a provision of the Bail Bond Act, 59 O.S. §§ 1301-1340, may be subject to a fine of not less than \$250 but not more than \$2,500 per violation.

ORDER

IT IS THEREFORE ORDERED that Carter is **FINED TWO HUNDRED AND FIFTY DOLLARS (\$250.00) FOR EACH OF THESE VIOLATIONS TOTALING FIVE HUNDRED DOLLARS (\$500.00) payable** within thirty (30) days of the date of this Order. **RESPONDENT** is also **ORDERED** to update his business and mailing address with the Department immediately.

If the fine is not paid to the Department within thirty (30) days, Respondent's license will be suspended and shall remain suspended until the fine is paid in full.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless Carter requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of this Conditional Order, the penalties set forth above shall become a Final Order on the thirty-first (31st) day following the date of mailing this Order. A request for hearing should be in writing and addressed to Julie Meaders, Oklahoma Insurance Department, Legal Division, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112. The request for hearing must state the grounds

for the request to set aside or modify the Order and 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 et seq.* If Carter 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 26th day of May, 2017.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Julie Meaders
Deputy General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112
Tel. (405) 521-2746

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 by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 26th day of May, 2017, to:

Kyle David Carter
C & K Bail Bonds
10709 NW 35th
Yukon, OK 73099-3367


CERTIFIED MAIL NO. 7016 0910 0000 8401 4540

Kyle David Carter
C & K Bail Bonds
2519 SW 59th Street
Oklahoma City, OK 73119

CERTIFIED MAIL NO. 7016 0910 0000 8401 4557

and a copy was delivered to:

Bail Bonds Division



Julie Meaders

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$ _____
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$ _____
 Return Receipt (electronic) \$ _____
 Certified Mail Restricted Delivery \$ _____
 Adult Signature Required \$ _____
 Adult Signature Restricted Delivery \$ _____



Postage
 \$ _____
Total Postage and Fees
 \$ _____

Sent To
 Street and Apt. No., or PO Box
 City, State, ZIP+4®
 C & K Bail Bonds
 ATTN: Kyle David Carter
 10709 NW 35th
 Yukon, OK 73099-3367
 rlg/17-0300-DIS(JAM)/Cond Adm Ord

PS Form 3800, April 2015 PSN 7530-02-000-9053

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:
 C & K Bail Bonds
 ATTN: Kyle David Carter
 2519 SW 59th St.
 Oklahoma City, OK 73119
 rlg/17-0300-DIS(JAM)/Cond Adm Ord

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Agent
 Addressee
 B. Received by (Printed Name)
 C. Date of Delivery

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT
 JUN 01 2017
 Legal Division

3. Service Type
 Priority Mail Express®
 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)
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

2. Article Number (Transfer from service label)
 7016 0910 0000 8401 4557

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

Domestic Return Receipt

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
 \$ _____



Total Postage and Fees
 \$ _____

Sent To
 C & K Bail Bonds
 ATTN: Kyle David Carter
 2519 SW 59th St.
 Oklahoma City, OK 73119
 rlg/17-0300-DIS(JAM)/Cond Adm Ord

Street and Apt. No., or PO Box

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9053

7016 0910 0000 8401 4547

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:

C & K Bail Bonds
 ATTN: Kyle David Carter
 10709 NW 35th
 Yukon, OK 73099-3367
 rlg/17-0300-DIS(JAM)/Cond Adm Ord



9590 9402 1346 5285 6119 52

2. Article Number (Transfer from service label)
 7016 0910 0000 8401 4540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Signature]* Agent Addressee

B. Received by (Printed Name)
Kyle David Carter

C. Date of Delivery

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

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT
 MAY 31 2017
 Legal Division



3. Service Type
- Adult Signature Priority Mail Express®
- Adult Signature Restricted Delivery Registered Mail™
- Certified Mail® Registered Mail Restricted Delivery
- Certified Mail Restricted Delivery Return Receipt for Merchandise
- Collect on Delivery Signature Confirmation™
- Collect on Delivery Restricted Delivery Signature Confirmation Restricted Delivery
- Insured Mail Signature Confirmation Restricted Delivery (over \$500)
- Insured Mail Restricted Delivery (over \$500)

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

Domestic Return Receipt