

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

FILED

JUN 26 2017

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel.)	
JOHN D. DOAK, Insurance Commissioner,)	
)	
Petitioner,)	
vs.)	
)	Case No. 17-0400-DIS
KEELY ROCHELLE POINTS,)	
a licensed bail bondsman in the State)	
of Oklahoma,)	
)	
Respondent.)	

**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, Barron B. Brown, 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 et seq., and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1341.

2. Keely Rochelle Points ("Respondent") is a licensed bail bondsman in the State of Oklahoma holding license number 100240847.

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 of a violation.

ALLEGATIONS OF FACT

1. Pursuant to 59 O.S. § 1314(D), "[each] bail bondsman shall submit each month with the monthly report of the bondsman, a reviewal fee equal to two-tenths of one percent (2/10 of 1%) of the new liability written for that month . . . [the] fee shall be payable to the Insurance Commissioner who shall deposit same with the [Oklahoma] State Treasurer."

2. On or about April 17, 2017, Respondent submitted to the Oklahoma Insurance Department ("OID") an Electronic Funds Transfer ("EFT") of Five Hundred Sixty-Four Dollars and Seventy Cents (\$564.70) for her ACIC100240847-March2016-Original-01.DBF monthly report reviewal fee.

3. On April 27, 2017, the Oklahoma State Treasurer charged the insufficient EFT back to the OID as "Insufficient Funds."

4. On May 1, 2017, the OID Bail Bond Division staff sent a letter via email to Respondent requesting that the funds be replaced and a service fee of Twenty-Five Dollars (\$25.00) for the insufficient EFT be paid to the OID within five (5) days of receipt of the letter.

5. On May 18, 2017, the OID Bail Bond Division staff sent a follow-up letter via email to Respondent requesting that the funds and service fee for the insufficient EFT be paid to the OID within five (5) days from receipt of the follow-up letter.

6. On June 7, 2017, the OID Legal Division sent a letter via email and certified mail to Respondent requesting that the funds and service fee for the insufficient EFT be paid to the OID within ten (10) days from receipt of the Legal Division letter.

7. As of the date of this Order, the total amount owed for the insufficient funds EFT has not been remitted to the OID.

ALLEGED VIOLATIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(29) for uttering an insufficient electronic funds transfer to the Insurance Commissioner for any fees, fines or other payments received by the Commissioner from the bail bondsman.

ORDER

IT IS THEREFORE ORDERED that Respondent is **FINED** Two Hundred Fifty Dollars (\$250.00) for a violation of 59 O.S. § 1310(A)(29) and shall remit payment in the amount of Five Hundred Eighty-Nine Dollars and Seventy Cents for the insufficient funds EFT. **The fine and insufficient funds EFT amount is to be paid within thirty (30) days from receipt of this Order and made payable to the Oklahoma Insurance Department. Payment may be made by either cashier's check or money order. If Respondent's fine and insufficient funds EFT amount is not paid within thirty (30) days, her license will be suspended and shall remain suspended until the fine and insufficient funds EFT amount is paid in full.**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date 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 date of mailing this Order. A request for hearing should be in writing addressed to Barron B. Brown, 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.

Any such hearing shall be conducted according to the procedures for contested cases

under Oklahoma Insurance Code (36 O.S. §§ 101 et seq.), the Oklahoma Bail Bond Act (specifically- 59 O.S. §§ 1311-1311.1) and the Oklahoma Administrative Procedures Act (75 O.S. §§ 308a et seq.). If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as 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 June, 2017.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Barron B. Brown
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
(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 certified mail, with postage prepaid and return receipt requested, on this 26th day of June, 2017, to:

Keely Rochelle Points
5068 S. Toledo Ave., Apt. 231
Tulsa, OK 74135-3348

CERTIFIED MAIL NO. 7016 0910 0000 8401 4649



Barron B. Brown
Assistant General Counsel