BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,))
Petitioner,))
TRANSPORTATION LEASING CO., a renewal applicant for a resident car rental limited lines producer,) CASE NO. 17-0452-DEN)
Respondent.	AUG 2 4 2017
CONDITIONAL ADMINIS	TRATIVE ORDER

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. Transportation Leasing Co. ("Respondent") is a renewal applicant for a resident car rental limited lines producer license in the State of Oklahoma. Respondent's mailing address of record is P.O. Box 470350, Tulsa, Oklahoma 74147.
- 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's resident car rental limited lines producer license ("License") in the State of Oklahoma expired on April 30, 2017.
 - 7. Respondent submitted a renewal application on June 19, 2017.
- 8. On June 19, 2017, the Oklahoma Insurance Department ("OID") Licensing Division requested information regarding sales of supplemental liability insurance after the expiration or Respondent's License on April 30, 2017.
- 9. On June 20, 2017, Respondent provided a list of all supplemental insurance sold from April 30, 2017 to present.
- 10. Pursuant to 36 O.S. § 1435.26(C) it is unlawful for any person to act as a limited lines producer in the State of Oklahoma without being duly licensed.
- 11. Pursuant to 36 O.S. § 1435.13(A) and (D), 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 civil penalty up to \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code.

ALLEGED CONCLUSIONS OF LAW

12. Respondent has violated 36 O.S. §§ 1435.26(C) and 1435.13(A)(1) by acting as a limited lines producer in the State of Oklahoma without being duly licensed.

ORDER

Commissioner, subject to the following paragraph, that Respondent is hereby CENSURED and FINED Five Hundred Dollars (\$500.00) for a violation of 36 O.S. §§ 1435.26(C) and 1435.13(A)(1). The \$500.00 fine is to be paid within thirty (30) days of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. Respondent's application for resident car rental limited lines 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.

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 (31st) 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 56th 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

JOHN D. DOAK

INSURANCE/COMMISSIONER

STATÉ OF OKLAHOMA

Sandra LaVenue OBA# 13372

Oklahoma Insurance Department 3625 NW 56th 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 day of August 2017, to:

Transportation Leasing Company P.O. Box 470350 Tulsa, Oklahoma 74147

CERTIFIED MAIL NO.

and a copy was delivered to: Lori Jones Licensing Division

> Sandra LaVenue Senior Counsel



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 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. 	A. Signature A. Signature Agent Addressee B. Received by (Printed Name) C. Date of Delivery
sms/17-0452-DEN/Cond Ord	RECEIVE VES. enter delivery address below: No. 2017 3 1 2017 al Division
9590 9402 2617 6336 1564 62 2. Article Number (Transfer from service label)	3. Service Type ☐ Adult Signature ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500) ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
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