

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED  
NOV 13 2017  
INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. )  
DOAK, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
RICKY RANDELL BEASLEY, an applicant )  
for a resident insurance producer license in the )  
State of Oklahoma, )  
Respondent. )

Case No. 17-0631-DEN

FINAL ADMINISTRATIVE ORDER

This matter is a denial proceeding under the Oklahoma Producer Licensing Act (the "Act"), 36 O.S. §§1435.1-1435.41. On September 27, 2017, the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner (the "Petitioner"), denied the resident insurance producer license application of Ricky Randell Beasley (the "Respondent"). On October 4, 2017, Respondent requested a formal administrative hearing before an Independent Hearing Examiner in regard to the denial. On October 16, 2017, Petitioner issued a *Notice of Hearing and Order to Show Cause* (the "Notice") concerning Respondent's license denial.

On November 2, 2017, the *Notice* came on for hearing before the undersigned Independent Hearing Examiner. The Petitioner, appeared by counsel, Barron B. Brown, Assistant General Counsel. Respondent appeared *pro se*. Witnesses were sworn and testified, exhibits were presented, and arguments heard.

## JURISDICTION

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§101 et seq., including the Act.

2. Ricky Randell Beasley ("Respondent") is an applicant for a resident insurance producer license in the State of Oklahoma. His mailing address of record is 115 W. Adams St, Purcell, Oklahoma 73080-3601.

3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Act and/or may levy a fine up to \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code. 36 O.S. §1435.13(A) and (D).

4. The Insurance Commissioner, pursuant to 36 O.S. §319, appointed the undersigned Independent Hearing Examiner to sit as a quasi-judicial officer over the above entitled cause.

## FINDINGS OF FACT

1. On or about August 25, 2017, Respondent applied for a resident insurance producer license with the Oklahoma Insurance Department ("OID"). On the application form, question 1b asks the following: "Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?" Respondent answered "**no**" to this question.

2. The application form defines "Convicted" as, including but not limited to, the following: "having been found guilty by verdict of a judge or jury, having entered a plea of guilty or nolo contendere or no contest, or having been given probation, a suspended sentence, or a fine." The application states that individual applicants can only exclude misdemeanor traffic

citations and misdemeanor convictions or pending misdemeanor charges involving driving under the influence (DUI) or driving while intoxicated (DWI), driving without a license, reckless driving, or driving with a suspended or revoked license and juvenile offenses.

3. An Oklahoma State Courts Network ("OSCN") background check conducted by the OID Licensing Division showed that Respondent had the following criminal felonies, which were not disclosed in response to question 1b as noted above in Findings of Fact #1: a guilty plea to one (1) criminal felony count of trafficking illegal drugs, which resulted in a deferred adjudication, on or about September 21, 2011 (Oklahoma County, Case No. CF-2010-8172); and a guilty plea to one (1) criminal felony count of assault and battery upon a police officer and a guilty plea to one (1) criminal misdemeanor count of resisting an officer, which each resulted in Respondent being admitted into the Cleveland County Drug Court, on or about December 12, 2016 (Cleveland County, Case No. CF-2016-873).

4. Pursuant to 36 O.S. §1435.13(A)(1), the Insurance Commissioner may deny an application for a producer license if the applicant "[provides] incorrect, misleading or materially untrue information in the license application." In addition, 36 O.S. §1435.7(C) provides that "[an] applicant for any license required by the provision of the Oklahoma Producer Licensing Act shall demonstrate to the Insurance Commissioner that the applicant is competent, trustworthy, financially responsible, and of good personal and business reputation."

5. Respondent, in fact, provided incorrect information in his license application to the OID by failing to disclose the aforementioned criminal cases in violation of 36 O.S. §1435.13(A)(1).

6. Respondent's providing of incorrect information in his license application, combined with the factual nature of the underlying, non-disclosed criminal cases, constituted a

failure by Respondent to demonstrate to the Insurance Commissioner that he was fit to hold an insurance producer license as required by the language of 36 O.S. §1435.7(C).

**CONCLUSIONS OF LAW**

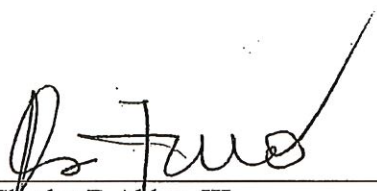
1. Respondent violated 36 O. S. §1435.13(A)(1) by providing incorrect, misleading, incomplete or materially untrue information in his license application.
2. Respondent violated 36 O.S. §1435.13(A)(2), violating any insurance laws, or violating any regulation, subpoena or order of the Insurance Commissioner or of another state's Insurance Commissioner, by a violation of 36 O.S. §1435.7(C) in failing to demonstrate to the Insurance Commissioner that the applicant is competent, trustworthy, financially responsible, and of good personal and business reputation.

**ORDER**

BASED ON THE CLEAR AND CONVINCING EVIDENCE SET FORTH ABOVE, the action of the Insurance Commissioner is hereby **AFFIRMED** and Respondent's application for a resident insurance producer license is hereby **DENIED**.

Done this 10<sup>th</sup> day of November, 2017.



  
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Charles F. Alden, III  
Independent Hearing Examiner  
Oklahoma Insurance Department

**CERTIFICATE OF MAILING**

I, Barron B. Brown, hereby certify that a true and correct copy of the above and foregoing *Proposed Final Administrative Order* was mailed by certified mail, with postage prepaid and return receipt requested, on this 13<sup>th</sup> day of November, 2017, to:

Ricky Randell Beasley  
115 W. Adams St.  
Purcell, OK 73080-3601

**CERTIFIED MAIL NO.** 9214 8902 0982 7500 0027 81

and that a copy was delivered to:

Licensing Division



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Barron B. Brown  
Assistant General Counsel

Date Produced: 11/20/2017

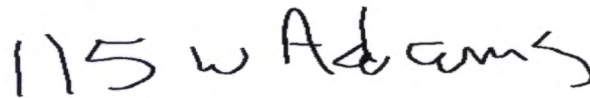
OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0027 81. Our records indicate that this item was delivered on 11/14/2017 at 02:42 p.m. in PURCELL, OK 73080. The scanned image of the recipient information is provided below.

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