

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED

OCT 31 2017

INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. )  
 DOAK, Insurance Commissioner, )  
 )  
 ) Petitioner, )  
 vs. )  
 )  
 ) JENNIFER NICOLE OHLER )  
 a resident insurance producer, )  
 )  
 ) Respondent. )  
 )

CASE NO. 17-0722-DEN

**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. Jennifer Nicole Ohler ("Respondent") is a resident insurance producer applying to add a line of authority to her current producer license in the State of Oklahoma. Respondent's mailing address of record is 2865 E. Skelly Dr., Ste 210, Tulsa, OK 74105.

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 applied for a property and casualty line of authority to her resident producer license on or about October 3, 2017. On the application form, question 1a asks the following: "Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?" Respondent answered "no" to this question.

7. Additionally, 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.

8. An Oklahoma Supreme Court Network ("OSCN") background check by the OID Licensing Division shows that Respondent is currently charged with criminal

violations in Wagoner County case number CF-2017-00285. The alleged criminal violations arose from an incident resulting in Respondent's arrest on April 21, 2017.

Respondent is currently charged with the following:

- Count 1: Assault and Battery of a Police Officer/felony
- Count 2: Assault and Battery of a Police Officer/felony
- Count 3: Assault and Battery of a Police Officer/felony
- Count 4: Assault and Battery of a Police Officer/felony
- Count 5: Escape from Arrest or Detention/felony
- Count 6: Resisting an Officer/misdemeanor
- Count 7: Assault on Police Officer/misdemeanor
- Count 8: Public Intoxication/misdemeanor

9. Pursuant to 36 O.S. § 1435.13(A)(1), it is a violation of the Producer Licensing Act for a producer to provide incorrect, misleading, incomplete or materially untrue information in a license application.

### **ALLEGED CONCLUSIONS OF LAW**

10. Respondent has violated 36 O.S. § 1435.13(A)(1) by providing incorrect, misleading, incomplete or materially untrue information in her license application submitted on October 3, 2017.

### **ORDER**

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner, subject to the following paragraph, that Respondent is hereby **CENSURED** and **FINED TWO HUNDRED AND FIFTY DOLLARS (\$250.00)** for a violation of 36 O.S. § 1435.13(A)(1). The **\$250.00 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 a property and casualty line of authority to her resident insurance producer license may be granted upon receipt of

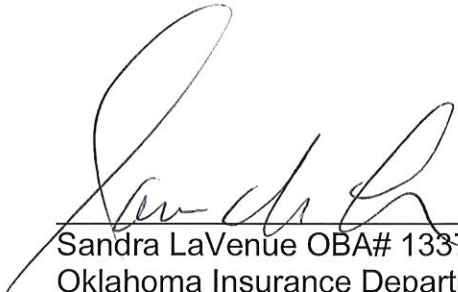
payment of the fine and reporting of the administrative action. Failure to pay the civil fine or request a hearing within thirty (30) days will result in Respondent's application for an additional line of authority being withdrawn.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance 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 (31<sup>st</sup>) 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 56<sup>th</sup> 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 31<sup>st</sup> day of October, 2017.

JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA



  
Sandra LaVenue OBA# 13372  
Oklahoma Insurance Department  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, Oklahoma 73112  
(405) 521-2746

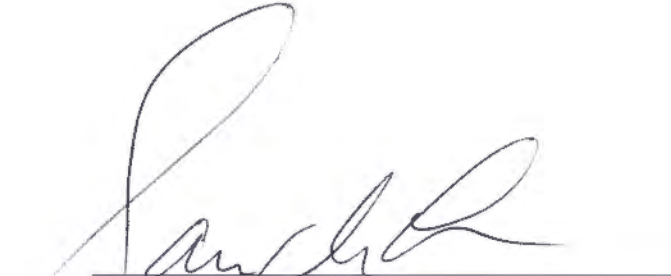
**CERTIFICATE OF MAILING**

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 31<sup>st</sup> day of October, 2017, to:

Jennifer Nicole Ohler  
11921 S. 270th East Ave.  
Coweta, OK 74429-5813  
**Certified No. 9214 8902 0982 7500 0024 39**

and a copy was delivered to:

Karen Wojtek  
Courtney Khodabakhsh  
Licensing Division



\_\_\_\_\_  
Sandra LaVenue  
Senior Counsel

Date Produced: 11/13/2017

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0024 39. Our records indicate that this item was delivered on 11/10/2017 at 10:12 a.m. in COWETA, OK 74429. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



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Sincerely,  
United States Postal Service

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