

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
NOV 09 2017
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
Petitioner,)
v.)
)
WESTSIDE INS, an insurance agency,)
)
)
Respondent.)

Case No. 17-0759-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 his attorney, Sara A. Worten, and alleges and states as follows:

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.*

2. Respondent Westside Ins (“Respondent”) is an Oklahoma insurance agency holding license 100227600. Its address of record is 3856 Southwest Boulevard, Tulsa, OK 74107.

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, *36 O.S. § 1435.13(A) and (D).*

ALLEGATIONS OF FACT

1. Respondent submitted an application to reinstate its producer license on October 4, 2017.
2. Oklahoma Insurance Department's records show that Respondent's license became inactive on July 31, 2017 for failing to renew.
3. *36 O.S. § 1435.7(B)* requires business entity producers to maintain an insurance producer license. Respondent failed to maintain an active license while conducting insurance business during the period of August 1, 2017 through October 4, 2017. During this time, approximately eighty-five (85) insurance policies were sold.

CONCLUSIONS OF LAW

1. Pursuant to *36 O.S. § 1435.7(B)*, a business entity acting as an insurance producer is required to maintain an insurance producer license.
2. Respondent violated *36 O.S. § 1435.4(A)* in failing to maintain an active producer license while conducting an insurance-related business, thereby in violation of *36 O.S. § 1435.13(A)(2)*.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated *36 O.S. § 1435.13(A)(2)* and as a result **Respondent is FINED** in the amount of **ONE THOUSAND DOLLARS (\$1,000.00)**. **The Fine is to be paid within thirty (30) days of receipt of this Order.**

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 Sara A. Worten, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Street, 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 the Insurance Code and 75 O.S. § 250-323. 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 9th day of November, 2017.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Sara A. Worten
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, OK 73112
Telephone: (405) 521-2746

CERTIFICATE OF MAILING

I, Sara A. Worten, hereby certify that a true and correct copy of the above and foregoing Conditional Administrative Order and Notice of Right to be Heard was sent by electronic mail and mailed by certified mail with postage prepaid and return receipt requested on this 9th day of November 2017 to:

Kevin Kight
President
Westside Ins
3856 Southwest Boulevard
Tulsa, OK 74107
kevin.kight@aaaok.org

**CERTIFIED MAIL NO:
9214 8902 0982 7500 0027 12**

and

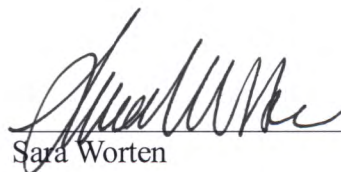
Notification was sent to:

All Appointing Insurers/RIRS

and

a copy was delivered to:

Licensing Division



Sara Worten

Date: November 17, 2017

Maria Torres:

The following is in response to your November 17, 2017 request for delivery information on your Certified Mail™/RRE item number 9214890209827500002712. The delivery record shows that this item was delivered on November 15, 2017 at 11:36 am in TULSA, OK 74107. The scanned image of the recipient information is provided below.

Signature of Recipient :

Ken [unclear]

Address of Recipient :

3856 1/2 B...

Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service

SCANNED
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