

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,)

Petitioner,)

vs.)

AMY LYNN POINTS, a licensed bail bondsman in the State of Oklahoma,)

Respondent.)

CASE NO. 17-0796-DIS

FILED

DEC 01 2017

INSURANCE COMMISSIONER OKLAHOMA

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, Julie Meaders, 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., as well as the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1341.

2. Amy Lynn Points (“Respondent”) is a licensed surety bondsman in the State of Oklahoma holding license number 40091884. Her address of record with the Department is 313 State Street, Muskogee, OK 74401-6350.

3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 59 O.S. § 1310.

4. 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.

ALLEGATIONS OF FACTS

1. Respondent submitted insufficient funds to the Oklahoma Insurance Department on October 16, 2017 in the amount of \$1,167.31 on October 16, 2017 via an electronic funds transfer (“EFT”) for a September 2017 bail bond report.
2. The Bail Bond Division notified Respondent on October 27, 2017 via email that the EFT was returned and not processed due to the insufficient funds.
3. The notification ordered Respondent to submit a money order or cashier’s check for the unpaid \$1,167.31 within seven (7) days of the notification.
4. The \$1,167.31 was received by the Bail Bond Division on November 21, 2017.

ALLEGED CONCLUSIONS OF LAW

1. Respondent has violated *59 O.S. § 1310(A)(29)* by submitting an insufficient electronic funds transfer (“EFT”) to the Department.
2. Respondent has violated *59 O.S. § 1310(A)(23)* by failing to respond to a properly mailed notification within a reasonable amount of time.

ORDER

IT IS THEREFORE ORDERED THAT AMY POINTS IS FINED TWO HUNDRED AND FIFTY DOLLARS (\$250.00). The fine is to be paid within thirty (30) days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. If the fine is not paid within thirty (30) days of the date of this Order, Respondent’s license will be suspended and shall remain suspended until the fine is paid in full.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless Amy Points requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of this Conditional Order, the penalties set forth above shall become a Final Order on the thirty-first (31st) day following the date of mailing this Order.

A request for hearing should be in writing and addressed to Julie Meaders, 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 and 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 et seq.*

If Points 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 1st day of December, 2017.

JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Julie Meaders
Deputy General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-274

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 1st day of December, 2017 to:

Amy Lynn Points
313 State Street
Muskogee, OK 74401-6350

CERTIFIED MAIL NO. 9214 8902 0982 7500 0033 37


Julie Meaders



Date Produced: 12/11/2017

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0033 37. Our records indicate that this item was delivered on 12/04/2017 at 03:14 p.m. in MUSKOGEE, OK 74401. The scanned image of the recipient information is provided below.

Signature of Recipient :

Morgan Peckhase

Address of Recipient :

~~313 State~~ 313 State

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

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