BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
Petitioner,)
vs.) CASE NO. 18-0138-DIS
)
FRANK EDWARD HABA, JR., a licensed bail)
bondsman in the State of Oklahoma,	FILED
	MAR 1 2 2018
Respondent.)
COMPUTION A A DIMIN	NISTRATIVE ORDER (NSURANCE COMMISSIONER)
CONDITIONAL ADMIN	MOTRATIVE ORDER
AND NOTICE OF RIG	GHT 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. Frank Edward Haba, Jr. ("Respondent") is a licensed bail bondsman in the State of Oklahoma holding license number 100144382. His address of record with the Department is 125 N. Denver Avenue, Tulsa, Oklahoma 7774103-1819.
- 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

- 5. Pursuant to 59 O.S. § 1314(B) and OAC 365:25-5-36(a), a licensed surety bondsman shall electronically submit monthly reports for each line of authority by the fifteenth day of each month; even if no bonds were written under any particular component of a bail bond license.
- 6. Respondent failed to submit his October 2017 surety report which was due no later than November 15, 2017 as required by 59 O.S. § 1314(B) and OAC 365:25-5-36.
- 7. Respondent failed to timely submit his November 2017 surety report which was due no later than December 15, 2017 as required by 59 O.S. § 1314(B) and OAC 365:25-5-36.
- 8. Respondent failed to timely submit his December 2017 surety report which was due no later than January 16, 2018 as required by 59 O.S. § 1314(B) and OAC 365:25-5-36.

ALLEGED CONCLUSIONS OF LAW

9. Respondent has violated 59 O.S. § 1310(A)(24) on three (3) occasions by failing to file monthly reports as required by 59 O.S. §§ 1314(B) and OAC 365:25-5-36(a).

ORDER

To Is Therefore Ordered, Adjudged and Decreed by the Insurance Commissioner, subject to the following paragraph, that Respondent violated the provisions of 59 O.S. §§ 1310(A)(24) and is hereby FINED TWO HUNDRED AND FIFTY DOLLARS (\$250.00). IT IS FURTHER ORDERED that Respondent submit his surety reports for the months of October, November and December 2017 and payment of the administrative fine 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 Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the mailing of this Order. Such request for hearing, if desired, shall be in writing, addressed to Julie Meaders, Oklahoma Insurance Department, Legal Division, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112, and shall state the basis for requesting the hearing. 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 403. 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 2 day of March, 2018.

JOHN D. DOAK INSURANCE COMMISSIONER STATE OF OKLAHOMA

Julie Meaders

Deputy General Counsel Oklahoma Insurance Department 3625 NW 56th Street, Suite 100 Oklahoma City, Oklahoma 73112 (405) 521-2746

Meaders

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 day of March 2018, to:

Frank Edward Haba, Jr. 125 N. Denver Avenue Tulsa, OK 74103

CERTIFIED MAIL NO.

9214 8902 0982 7500 0060 55

Julie Meaders

Julie Meaders



Date Produced: 03/19/2018

OKLAHOMA INSURANCE DEPARTMENT:

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