

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

JUL 03 2018

INSURANCE COMMISSIONER
OKLAHOMA

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

Petitioner,)

v.)

FIRST NATIONAL BANK & TRUST COMPANY OF WEATHERFORD, an applicant for reactivation of a resident business entity insurance producer license in the State of Oklahoma,)

Respondent.)

Case No. 18-0456-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, Barron B. Brown, and alleges and states as follows:

JURISDICTION AND AUTHORITY

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 Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1 through 1435.41.

2. First National Bank & Trust Company of Weatherford ("Respondent") is an applicant for reactivation of a resident business entity insurance producer license in the State of Oklahoma. Respondent's mailing address of record is P.O. Box 311, Weatherford, Oklahoma 73096.

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. Pursuant to 36 O.S. § 1435.4(A), "[a] person shall not sell, solicit, or negotiate insurance in this state for any class or classes of insurance unless the person is licensed for that line of authority in accordance with Oklahoma Producer Licensing Act." Within that, a "Person" for purposes of the Oklahoma Producer Licensing Act ". . . means an individual or a business entity." 36 O.S. § 1435.2(16).

2. On October 31, 2017, Respondent's Oklahoma business entity insurance producer license expired.

3. On June 8, 2018, Respondent applied for reactivation of its business entity insurance producer license.

4. On June 11, 2018, Respondent was asked by the Oklahoma Insurance Department's ("OID") Licensing Division to provide a list of new insurance policies it had sold, solicited or negotiated in the State of Oklahoma after the date its license expired on October 31, 2017. By correspondence dated June 21, 2018, Respondent provided the requested list (the "provided list") to the OID's Licensing Division.

5. More specifically, the provided list showed that Respondent had sold, solicited or negotiated approximately one hundred sixty-five (165) new insurance policies without being properly licensed with the OID as required by 36 O.S. § 1435.4(A).

ALLEGED VIOLATIONS OF LAW

1. 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, through a violation of 36 O.S. § 1435.4(A), by selling, soliciting, or negotiating insurance in the State of Oklahoma without being properly licensed.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner that Respondent is **FINED EIGHT HUNDRED DOLLARS (\$800.00)**. **The \$800.00 civil fine is to be paid within thirty (30) days** made payable to the Oklahoma Insurance Department. The \$800.00 civil fine shall be paid by money order or cashier's check. Respondent's application for reactivation of its resident business entity 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 license application being withdrawn.

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 Barron B. Brown, 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.

Any such hearing shall be conducted according to the procedures for contested cases under the Oklahoma Insurance Code (36 O.S. §§ 101 et seq.), Oklahoma Administrative Code, Title 365 – Insurance Department (OAC 365:1-7-1 through 1-7-9) and the Oklahoma Administrative Procedures Act (75 O.S. §§ 308a et seq.). 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 3rd day of July, 2018.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Barron B. Brown
Assistant General Counsel
Oklahoma Insurance Department
3625 NW 56th St., Suite 100
Oklahoma City, OK 73112
(405) 521-2746

CERTIFICATE OF MAILING

I, Barron B. Brown, 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 3rd day of July, 2018, to:

First National Bank & Trust Company of Weatherford
P.O. Box 311
Weatherford, OK 73096

CERTIFIED MAIL NO. 9214 8902 0982 7500 0103 73

and a copy was delivered to:

Licensing Division


Barron B. Brown
Assistant General Counsel



18-0456 DEN
BBB

Date Produced: 07/16/2018

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0103 73. Our records indicate that this item was delivered on 07/11/2018 at 10:39 a.m. in WEATHERFORD, OK 73096. The scanned image of the recipient information is provided below.

Signature of Recipient :

Blake Reheman


Address of Recipient :

311

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Sincerely,
United States Postal Service

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