BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner, Petitioner,)	DNSU	JUL 20 2018
vs.)	Case Nos. 18-0460-DIS	OKLAHOMAISSION
AUDREY ANN CONLEY, a licensed bail)	18-0461-DIS	" IOMA SSIONER
bondsman in the State of Oklahoma,)		
Respondent.)		

In.

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, 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 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 Bail Bond Act, 59 O. S. §§ 1301-1341.
- 2. Audry Ann Conley ("Respondent") is a licensed surety bail bondsman in the State of Oklahoma holding license number 100180807. Respondent's mailing address of record is 2001 Brighton Ave., The Village, Oklahoma 73120-1114. Respondent currently has an active surety appointment with American Contractors Indemnity Company ("ACIC"). Respondent previously had a surety appointment with United States Fire Insurance Company ("USFIC"), which was cancelled on July 25, 2014.
- 3. 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 of a violation.

4. Pursuant to O.A.C. 365:1-7-1(a), Respondent may submit a written request for hearing in this matter. Upon receiving such a request, the Insurance Commissioner will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing as requested by Respondent. 36 O.S. § 619.

ALLEGATIONS OF FACT

- 1. Pursuant to 59 O.S. § 1314(B)(1) and O.A.C. 365:25-5-36(a) and (b), a licensed bail bondsman must electronically submit to the Insurance Commissioner (the "Commissioner") monthly reports for each line of authority held, even if no bonds were written under any particular component during that month, and monthly reports for each company, professional bondsman or multicounty agent bondsman with which he/she is appointed and has an outstanding liability with, even if an appointment has been canceled, within fifteen (15) days after the end of each preceding month.
- 2. As of the date of this *Order*, Respondent has failed to submit both her May 2018 ACIC and USFIC monthly surety reports to the Commissioner on or before June 15, 2018, the date in which both monthly surety reports were due to the Commissioner.

ALLEGED VIOLATIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(24) by failing to timely file monthly reports as required by 59 O.S. § 1314(B) and O.A.C. 365:25-5-36(a) and (b).

ORDER

IT IS THEREFORE ORDERED that Respondent is FINED Seven Hundred Fifty Dollars (\$750.00). The fine is to be paid within thirty (30) days made payable to the Oklahoma Insurance Department. Payment may be made by either cashier's check or money

order. Failure to comply with a proper order of the Insurance Commissioner may result in further administrative action.

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 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.), the Oklahoma Bail Bond Act (specifically-59 O.S. §§ 1311-1311.1), O.A.C. 365:1-7-1 et seq., and the Oklahoma Administrative Procedures Act (75 O.S. §§ 308a et seq.). If 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 20th day of July, 2018.



JOHN D. DOAK INSURANCE COMMISSIONER STATE OF OKLAHOMA

Barron B. Brown

Assistant General Counsel

Oklahoma Insurance Department

B. Bur

3625 NW 56th Street, Suite 100 Oklahoma City, Oklahoma, 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 20 day of July, 2018, to:

Audry Ann Conley 2001 Brighton Ave. The Village, OK 73120-1114

CERTIFIED MAIL NO.

9214 8902 0982 7500 0107 93

Barron B. Brown

Assistant General Counsel



18-0460-Dis

Date Produced: 07/23/2018

OKLAHOMA INSURANCE DEPARTMENT:

JUL 21 2018

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0107 93. Our records indicate that this item was delivered on 07/21/2018 at 10:12 a.m. in OKLAHOMA CITY, OK 73120. The scanned image of the recipient information is provided below.

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Sincerely, United States Postal Service

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(ast Day to Day Fine or Prequest hearing is Monday Augus T20,2018