

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
SEP 10 2018
INSURANCE COMMISSIONER
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 Nos. 18-0471-DIS
18-0565-DIS

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

2. Amy Lynn Points ("Respondent") is a licensed surety bail bondsman in the State of Oklahoma holding license number 40091884.

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.

ALLEGATIONS OF FACT

1. On May 15, 2018, Respondent submitted to the Oklahoma Insurance Department ("OID") an Electronic Funds Transfer ("EFT") of Three Dollars (\$3.00) for her ACIC140091884-April2018-Original-01.DBF monthly report online fee ("ACIC April 2018 monthly report online fee").

2. On May 25, 2018, the Oklahoma State Treasurer (the "Treasurer") charged Respondent's \$3.00 EFT for her ACIC April 2018 monthly report online fee back to the OID as "Insufficient Funds."

3. On May 17, 2018, Respondent submitted to the OID an EFT of \$3.00 for her USFIC40091884-April2018-Original.01-DBF monthly report online fee ("USFIC April 2018 monthly report online fee").

4. On May 30, 2018, the Treasurer charged Respondent's \$3.00 EFT for her USFIC April 2018 monthly report online fee back to the OID as "Insufficient Funds."

5. On June 15, 2018, Respondent submitted to the OID an EFT of \$3.00 for her ACIC40091884-May2018-Original-01.DBF monthly report online fee ("ACIC May 2018 monthly report online fee") and an EFT of \$3.00 for her USFIC40091884-May2018-Original-01.DBF monthly report online fee ("USFIC May 2018 monthly report online fee").

6. On June 27, 2018, the Treasurer charged both Respondent's \$3.00 EFT for her ACIC May 2018 monthly report online fee and Respondent's \$3.00 EFT for her USFIC May 2018 monthly report online fee back to the OID as "Insufficient Funds."

7. On July 16, 2018, Respondent submitted to the OID an EFT of \$3.00 for her ACIC40091884-June2018-Original-01.DBF monthly report online fee ("ACIC June 2018 monthly report online fee") and an EFT of \$3.00 for her USFIC40081884-June2018-Original-

01.DBF monthly report online fee ("USFIC June 2018 monthly report online fee").

8. On July 26, 2018, the Treasurer charged both Respondent's \$3.00 EFT for her ACIC June 2018 monthly report online fee and Respondent's \$3.00 EFT for her USFIC June 2018 monthly report online fee back to the OID as "Account Closed."

9. As of the date of this Order, Respondent has failed to remit payment of any of the aforementioned EFTs to the OID.

ALLEGED VIOLATIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(29) for uttering insufficient electronic funds transfers to the Insurance Commissioner for any fees, fines or other payments received by the Commissioner from the bail bondsman.

ORDER

IT IS THEREFORE ORDERED that Respondent Points is FINED Four Hundred Fifty Dollars (\$450.00). The fine is to be paid within thirty (30) days from receipt of this Order and 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 Points requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of receipt 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 receipt of 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 Bail Bond Act (59 O. S. §§ 1301-1341) and the Oklahoma Administrative Procedures Act (75 O.S. §§ 308a et seq.). If Respondent Points 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 10th day of September, 2018.

JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Barron B. Brown

Barron B. Brown
Assistant General Counsel
Oklahoma Insurance Department
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Telephone: (405) 521-2746
Facsimile: (405) 522-0125


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 10th day of September, 2018, to:

Amy Lynn Points
117 S. 14th
Muskogee, OK 74401

CERTIFIED MAIL NO.

9214 8902 0982 7500 0126 67



Barron B. Brown
Assistant General Counsel



18-071-D's
BBB

September 19, 2018

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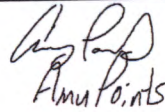
Item Details

Status: Delivered
Status Date / Time: September 18, 2018, 2:32 pm
Location: MUSKOGEE, OK 74401
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic
Recipient Name: AMY LYNN POINTS

Shipment Details

Weight: 2.0oz

Recipient Signature

Signature of Recipient:	
Address of Recipient:	117 S. 19th St

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