

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**  
SEP 05 2018  
INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. )  
DOAK, Insurance Commissioner, )  
 )  
Petitioner, )  
v. )  
 )  
KELLIE L. CLAY, a limited lines, )  
Insurance producer, )  
 )  
Respondent. )

Case No. 18-0619-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 his attorney, Sara A. Worten, and alleges and states as follows:

**JURISDICTION**

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.

2. Respondent Kellie L. Clay (“Respondent”) is an Oklahoma limited lines producer holding license number 40037851. Her address of record is 4405 N. Bryan, Shawnee, Oklahoma 74804.

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. Respondent submitted an application to reinstate her limited lines producer license on August 15, 2018.
2. Oklahoma Insurance Department's records show that Respondent's license became inactive on June 30, 2018, for failing to renew.
3. *36 O.S. § 1435.4* provides that no person can sell, solicit, or negotiate insurance in Oklahoma for any class of insurance unless the person is licensed for that line of authority in accordance with the Oklahoma Producer Licensing Act. Respondent failed to maintain an active license while conducting insurance business during the period of July 1, 2018 through August 15, 2018. During this time, approximately 10 insurance policies were sold.

### CONCLUSIONS OF LAW

1. Pursuant to *36 O.S. § 1435.4*, a person is required to be licensed pursuant to the Oklahoma Producer Licensing Act to sell, solicit, or negotiate insurance.
2. Respondent violated *36 O.S. § 1435.4(A)* in failing to maintain an active producer license while selling, soliciting or negotiating insurance, thereby in violation of *36 O.S. § 1435.13(A)(2)*.

### ORDER

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated *36 O.S. § 1435.13(A)(2)* and as a result **Respondent is FINED** in the amount of **\$100.00**. **The Fine is to be paid within 30 days of receipt of this Order. Respondent's license will be reinstated upon payment of the fine.**

**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 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 Sara A. Worten, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> Street, 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 Insurance Code and 75 O.S. § 250-323. 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 5<sup>th</sup> day of September 2018.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Sara A. Worten", written over a horizontal line.

Sara A. Worten  
Assistant General Counsel  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, OK 73112  
Telephone: (405) 521-2746

**CERTIFICATE OF MAILING**

I, Sara A. Worten, hereby certify that a true and correct copy of the above and foregoing Conditional Administrative Order and Notice of Right to be Heard was sent by electronic mail and mailed by certified mail with postage prepaid and return receipt requested on this 5<sup>th</sup> day of September 2018 to:

Kellie L. Clay  
4405 N. Bryan  
Shawnee, OK 74804

CERTIFIED MAIL NO:  
9214 8902 0982 7500 0124 69

and

Notification was sent to:

All Appointing Insurers/RIRS

and

a copy was delivered to:

Licensing Division

  
\_\_\_\_\_  
Sara Worten



Date Produced: 09/10/2018

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0124 69. Our records indicate that this item was delivered on 09/07/2018 at 01:07 p.m. in SHAWNEE, OK 74804. The scanned image of the recipient information is provided below.

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A handwritten signature in black ink, appearing to be "D. J. ~".

Address of Recipient :

A handwritten address in black ink, appearing to be "4105".

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Sincerely,  
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