

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
SEP 18 2018
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN)
DOAK, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
DAVID LAWRENCE JOHNSON,)
an applicant for a nonresident insurance)
adjuster license,)
)
Respondent.)

Case No. 18-0669-DEN

CONDITIONAL ADMINISTRATIVE ORDER
AND NOTICE OF RIGHT TO BE HEARD

COMES NOW the State of Oklahoma, ex rel. John Doak, Insurance Commissioner, by and through his attorney, Sara A. Worten, and alleges and states as follows:

JURISDICTION

1. John 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 is an applicant for a nonresident insurance adjuster license in the State of Oklahoma. Respondent's address of record is 3300 Branch Valley Trail, Conyers, Georgia, 30094

3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew an initial license issued pursuant to the Oklahoma Insurance Adjusters 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. § 6219, § 6220(A) and (B).

FINDINGS OF FACT

1. Respondent applied for a nonresident insurance adjuster license on or about July 22, 2018, with the Oklahoma Insurance Department (“OID”).

2. On the application form, question 1a asks the following: “Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?”

3. On the application form, question 2 asks “Have you even been named or involved as a party in an administrative proceeding...regarding any professional or occupational license or registration?”

4. The Respondent answered “no” to questions 1a and 2.

5. A RIRS check by the OID Licensing Division showed that Respondent had the following on his record in the State of Georgia: an administrative action placing him on probation for 18 months due to a conviction of a misdemeanor *In the State Court of Gwinnett County State of Georgia v. David Lawrence Johnson* Criminal Action No. 2013D-06596-2. Respondent did not disclose this prior criminal history and administrative history in the license application.

VIOLATIONS OF LAW

1. Respondent violated 36 O.S. § 6220(A)(1); material misrepresentation or fraud in obtaining an adjuster’s license.

ORDER

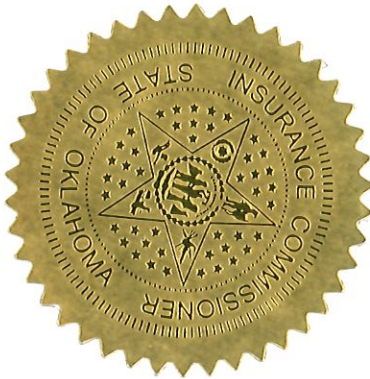
IT IS THEREFORE ORDERED by the Insurance Commissioner that David

Lawrence Johnson is fined \$100.00 for material misrepresentation or fraud in obtaining an adjuster's license. The \$100.00 fine is to be paid within 30 days made payable to the Oklahoma Insurance Department. The \$100.00 civil fine must be paid by money order or cashier's check. Respondent's application for a nonresident insurance adjuster 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 30 days will result in Respondent's 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 30 days of the date of mailing of this Order, this Order and the penalties set forth above will become a Final Order on the thirty-first day following the date of mailing this Order. A request for hearing must be in writing addressed to Sara A. Worten, 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 will 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 will act as notice of the matters to be reviewed at the hearing, and the Findings of Fact, 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 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 56th St., Suite 100
Oklahoma City, OK 73112

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 mailed by certified mail, with postage prepaid and return receipt requested, on this 18th day of September, 2018, to:


David Lawrence Johnson
3300 Branch Valley Trail
Conyers, GA 30094

CERTIFIED MAIL NO.

9214 8902 0982 7500 0129 40

and a copy was delivered to:

Nicole Godfrey
Licensing Division


Sara A. Worten
Assistant General Counsel

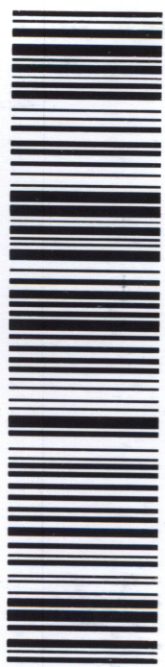


JOHN D. DOAK
Insurance Commissioner
 Oklahoma Insurance Department
 5 Corporate Plaza
 3625 N.W. 56th St., Ste. #100
 Oklahoma City, OK 73112-4511

Fold

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USPS CERTIFIED MAIL



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DAVID LAWRENCE JOHNSON
 3300 BRANCH VALLEY TRL
 CONYERS GA 30094-3997

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Legal Division

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