

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

OCT 08 2018

INSURANCE COMMISSIONER,
OKLAHOMA

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

Petitioner,)

vs.)

CASE NO. 18-696-DEN

JAMES DEAN MOORMAN, an applicant for a)
non-resident insurance adjuster license,)

Respondent.)

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, Sandra G. LaVenue, 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 Insurance
Adjusters Licensing Act, 36 O.S. §§ 6201-6223.

2. James Dean Moorman (“Respondent”) is an applicant for a non-resident
insurance adjuster license in the State of Oklahoma. Respondent’s mailing address of
record is 913 Beechwood Dr., Richardson, TX 75080.

3. The Insurance Commissioner may censure, suspend, revoke, or refuse to
issue or renew a license issued pursuant to the Oklahoma Insurance Adjuster Licensing

Act and/or may levy a fine up to \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code pursuant to 36 O.S. § 6220(A) and (B).

4. If Respondent requests a hearing in writing in this matter, pursuant to OAC 365:1-7-1, the Insurance Commissioner, pursuant to 36 O.S. § 319, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

5. The Insurance Commissioner, pursuant to OAC 365:1-7-5, upon written request reasonably made by a person affected by the hearing and at such person's expense, shall cause a full stenographic record of the proceedings to be made by a competent court reporter.

ALLEGATIONS OF FACTS

6. Respondent submitted a renewal application for his non-resident insurance adjuster license on or about September 17, 2018, with the Oklahoma Insurance Department ("OID"). On the application form, question 2 asks the following: "Have you ever been named or involved as a party in an administrative proceeding, including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration...." Respondent answered "no" to this question.

7. A background check by the OID Licensing Division showed that Respondent was a party to administrative proceedings regarding his professional licenses with the Georgia Insurance Department and the Florida Department of Financial Services, wherein Consent Orders were entered on June 7, 2017 and December 12, 2017, respectively.

8. Pursuant to 36 O.S. § 6220(A)(12), it is a violation of the Adjuster Licensing Act for an adjuster to obtain or attempt to obtain a license through misrepresentation or fraud.

ALLEGED CONCLUSIONS OF LAW

9. Respondent has violated 36 O.S. § 6220(A)(12) by attempting to obtain a non-resident adjuster license through misrepresentation or fraud in his license application submitted on November 8, 2016.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that Respondent is hereby **CENSURED** and **FINED ONE HUNDRED DOLLARS (\$100.00)** for a violation of 36 O.S. § 6220(A)(12). The **\$100.00 fine is to be paid within thirty (30) days** of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. Respondent's renewal application for a non-resident insurance adjuster license shall 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 the license renewal application being withdrawn.

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 mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first (31st) day following the mailing of this Order. A request for hearing shall be in writing and addressed to Sandra LaVenue, Oklahoma Insurance Department, Legal Division, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112.

Additionally, the request for hearing shall state the grounds for the request to set aside or modify the Order. The request shall be served on the Oklahoma Insurance Department within the thirty (30) days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.*, and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 *through* 323. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as a 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 8th day of October 2018.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Sandra LaVenue OBA# 13372
Oklahoma Insurance Department
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112
(405) 521-2746

CERTIFICATE OF MAILING

I, Sandra LaVenue, 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 8th day of October 2018, to:

James Dean Moorman
913 Beechwood Dr.
Richardson, TX 75080

CERTIFIED MAIL NO. 9214 8902 0982 7500 0134 04

and a copy was delivered to:

Nicole Godfrey
Licensing Division



Sandra LaVenue
Senior Counsel



October 25, 2018

Dear Sherry Standerfer:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8902 0982 7500 0134 04.

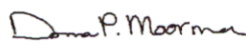
Item Details

Status: Delivered
Status Date / Time: October 16, 2018, 8:49 am
Location: RICHARDSON, TX 75080
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic
Recipient Name: JAMES DEAN MOORMAN

Shipment Details

Weight: 2.0oz

Recipient Signature

Signature of Recipient:	 Donna P. Moorman
Address of Recipient:	913 Beechwood Richardson, TX 75080

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