

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED

OCT 22 2018

INSURANCE COMMISSIONER  
OKLAHOMA

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

Petitioner,

vs.

CASE NO. 18-0700-DEN

ERIC LEWIS VANDENBURG, a renewal applicant for a 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. Eric Lewis Vandenburg ("Respondent") is a renewal applicant for a resident insurance adjuster license in the State of Oklahoma. Respondent's mailing address of record is 3220 East 400 Rd., Oologah, OK 74053.

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's resident adjuster license expired on or about May 31, 2018, with the Oklahoma Insurance Department ("OID").

7. Respondent submitted a renewal application on September 19, 2018.

8. On September 20, 2018, the Oklahoma Insurance Department ("OID") Licensing Division requested information regarding the adjustment of Oklahoma claims after the expiration of Respondent's License on May 31, 2018.

9. On or about September 21, 2018, Respondent provided a list of claims adjusted from June 1, 2018 to present.

10. Pursuant to 36 O.S. § 6220(A)(9), it is a violation of the Adjuster Licensing Act for an adjuster to adjust claims without proper licensing from the Oklahoma Insurance Commissioner.

**ALLEGED CONCLUSIONS OF LAW**

11. Respondent has violated 36 O.S. § 6220(A)(9) by adjusting claims without proper licensure from the Oklahoma Insurance Commissioner.

**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)(9). 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 application for the renewal of his resident insurance adjuster license shall be granted upon receipt of payment of the fine. Failure to pay the civil fine or request a hearing within thirty (30) days will result in your renewal license 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 (31<sup>st</sup>) 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 56<sup>th</sup> 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 22<sup>nd</sup> day of October 2018.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

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

Sandra LaVenue OBA# 13372  
Oklahoma Insurance Department  
3625 NW 56<sup>th</sup> 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 hand delivered to Eric Lewis Vandenburg on this <sup>27th</sup>~~26th~~ day of October, 2018, to:

Eric Lewis Vandenburg  
3220 East 400 Rd.,  
Oologah, OK 74053

**CERTIFIED MAIL NO.** 9214 8902 0982 7500 0138 24

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 0138 24.**


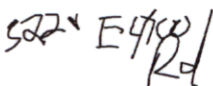
#### Item Details

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<b>Postal Product:</b>	First-Class Mail®
<b>Extra Services:</b>	Certified Mail™ Return Receipt Electronic
<b>Recipient Name:</b>	ERIC LEWIS VANDENBURG

#### Shipment Details

<b>Weight:</b>	2.0oz
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