

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

FILED
NOV 08 2018
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
 Petitioner,)
v.)
)
BATES INSURANCE AGENCY, LLC,)
an insurance agency,)
)
)
 Respondent.)

Case No. 18-0818-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 Bates Insurance Agency, LLC ("Respondent") is a resident insurance agency previously holding Oklahoma license number 100198394. Its address of record is 601 W. Choctaw Road, Broken Bow, Oklahoma.
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).*

FINDINGS OF FACT

1. Oklahoma Insurance Department's records show that Respondent's license became inactive on August 31, 2018, for failing to renew.
2. Respondent submitted an application to reinstate its producer license on October 4, 2018.
3. *36 O.S. § 1435.7(B)* requires business entity producers to maintain an insurance producer license. Respondent failed to maintain an active license while conducting insurance business during the period of September 1, 2018 through October 4, 2018. During this time, 32 insurance policies were sold.

CONCLUSIONS OF LAW

1. Pursuant to *36 O.S. § 1435.7(B)*, a business entity acting as an insurance producer is required to maintain an insurance producer license.
2. Respondent violated *36 O.S. § 1435.4(A)* in failing to maintain an active producer license while conducting an insurance-related business, 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.**

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 Findings 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 should be in writing addressed to Sara A. Worten, Oklahoma Insurance Department, Legal Division, 3625 NW 56th 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 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, Conclusions of Law, and penalties imposed in this Conditional Order will be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 21st day of November, 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 56th 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 certified mail with postage prepaid and return receipt requested on this 8th day of November, 2018 to:

Dennis Bates
Bates Insurance Agency, LLC
601 W. Choctaw
Broken Bow, OK 74728

CERTIFIED MAIL NO.
9214 8902 0982 7500 0143 19

and

Notification was sent to:

All Appointing Insurers/RIRS

and

a copy was delivered to:

Licensing Division



Sara Worten

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*NOTE: Black and white (grayscale) images show the outside, front of letter-sized envelopes and mailpieces that are processed through USPS automated equipment.