

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED  
DEC 04 2018  
INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN )  
DOAK, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
JAMES B. HOLLIER II, )  
an applicant for a resident insurance )  
producer license, )  
 )  
Respondent. )

Case No. 18-0869-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 counsel, Teresa L. Green, 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., including the Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1 et seq.

2. Respondent James B. Hollier II (“Respondent”) is an applicant for a resident insurance producer license in the State of Oklahoma. Respondent’s mailing address of record is 2329 NW 121<sup>st</sup> Street, Oklahoma City, OK 73120.

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 not less than \$100.00 nor more than \$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

4. Respondent applied for a resident insurance producer license on or about October 22, 2018, with the Oklahoma Insurance Department (“OID”).

5. 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?” Respondent answered “No” to this question.

6. On the application form, question 1B asks the following: “Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?” Respondent answered “No” to this question.

7. The application provides that applicants can only exclude “the following misdemeanor convictions or pending misdemeanor charges: traffic citations, driving under the influence (DUI), driving while intoxicated (DWI), driving without a license, reckless driving, or driving with a suspended or revoked license.” Applicants are also permitted to “exclude juvenile adjudications (offenses where you were adjudicated delinquent in a juvenile court).”

8. An Oklahoma Supreme Court Network (“OSCN”) background check by the OID Licensing Division showed that Respondent has been charged with (i) a two (2) year deferred sentence for a misdemeanor in *The State of Oklahoma v. James Bernard Hollier II*, Case Number CF-2000-5664 for one misdemeanor count of petty larceny and (ii) a two (2) year deferred sentence for a felony in the *The State of Oklahoma v. James Bernard Hollier II*, Case Number CF-2003-2865 for one felony count of uttering two or more bogus checks in the amount of fifty dollars or more.

9. The Insurance Commissioner may impose a civil fine when an applicant provides incorrect, misleading, incomplete or materially untrue information in the license application. *See 36 O.S. §§ 1435.13(A)(1) and (D).*

**ALLEGED VIOLATIONS OF LAW**

10. Respondent violated 36 O.S. § 1435.13(A)(1) by providing incorrect, misleading, incomplete or materially untrue information in the license application.

**ORDER**

**IT IS THEREFORE ORDERED** by the Insurance Commissioner that Respondent is hereby **FINED ONE HUNDRED DOLLARS (\$100.00)** for violation of 36 O.S. § 1435.13(A)(1). **The \$100.00 fine is to be paid within thirty (30) days** made payable to the Oklahoma Insurance Department. The \$100.00 civil fine shall be paid by **money order or cashier's check**. Respondent's application for a resident insurance producer 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 thirty (30) days will result in your license 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 thirty (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 Teresa L. Green, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> 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 Allegations of Fact, Alleged Violations 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 4<sup>th</sup> day of December, 2018.



JOHN DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "T. Green", is written over a horizontal line.

Teresa L. Green, OBA #32897  
Assistant General Counsel  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, OK 73112  
Telephone: (405) 521-4063  
Facsimile: (405) 522-0125



18-0869-DEN  
TLG

Date Produced: 12/10/2018

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0151 56. Our records indicate that this item was delivered on 12/07/2018 at 08:25 a.m. in OKLAHOMA CITY, OK 73120. The scanned image of the recipient information is provided below.

Signature of Recipient :

*James Hollier II*  
JAMES HOLLIER

Address of Recipient :

2329 NW 121

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

JAMES B HOLLIER II  
2329 NW 121ST ST  
OKLAHOMA CITY OK 73120-7415

Customer Reference Number: C1113080.6397302

**CERTIFICATE OF MAILING**

I, Teresa L. Green, 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 4th day of December, 2018 to:

James B. Hollier II  
2329 NW 121<sup>st</sup> St.  
Oklahoma City, OK 73120

**CERTIFIED MAIL NO.**

9214 8902 0982 7500 0151 56

and a copy was delivered to:

Licensing Division

  
\_\_\_\_\_  
Teresa L. Green