

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
Petitioner,)
)
vs.)
)
RCI SPECIAL RISK LLC, a renewal applicant)
for a resident insurance producer license,)
)
Respondent.)

CASE NO. 18-0908-DEN

FILED

JAN 02 2019

INSURANCE COMMISSIONER
OKLAHOMA

**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, Brian C. Chandler, 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 Producer Licensing Act, 36 O.S. §§ 1421-1435.41.

2. RCI Special Risk LLC (“Respondent”) is a renewal applicant for a resident insurance producer license in the State of Oklahoma. Respondent’s mailing address of record is P.O. Box 1185, Claremore, OK 74018.

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

pursuant to *36 O.S. § 1435.13(D)*.

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.

PROPOSED FINDINGS OF FACT

6. Respondent's resident producer license expired on or about 10/31/2018, with the Oklahoma Insurance Department ("OID").

7. Respondent submitted a renewal application on 11/28/2018.

8. The Oklahoma Insurance Department ("OID") Licensing Division requested information regarding the sell, solicitation, and negotiation of insurance policies after the expiration of Respondent's License on 10/31/2018.

9. On or about 12/21/2018, Respondent provided a list of claims sold, solicited, and/or negotiated from 11/1/2018 to present.

10. Pursuant to *36 O.S. § 1435.4*, it is a violation of the Producer Licensing Act for a producer to sell, solicit, and/or negotiate insurance policies without proper licensing from the Oklahoma Insurance Commissioner.

PROPOSED CONCLUSIONS OF LAW

11. Respondent has violated *36 O.S. § 1435.4* by selling, soliciting, and/or negotiating insurance policies 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. § 1435.4*. 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 its resident insurance producer 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 Proposed Findings 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 Brian C. Chandler, Assistant General Counsel, Legal Division, Oklahoma Insurance Department, 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 Proposed Findings of Fact, Proposed Conclusions 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 2 day of January, 2019.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Brian C. Chandler

Brian C. Chandler OBA#31016
Assistant General Counsel
Legal Division
Oklahoma Insurance Department
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112
(405) 521-2746

CERTIFICATE OF MAILING

I, Brian C. Chandler, 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 via U.S. Regular Mail and Certified Mail on this 2nd day of January, 2019 to:

RCI Special Risk LLC

P.O. Box 1185


Claremore, OK 74018

CERTIFIED MAIL NO. 9214 8902 0982 7500 0159 27

and a copy was delivered to:

Lorie Jones

Licensing Division


Brian C. Chandler



January 8, 2019

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 0159 27.

Item Details

Status:	Delivered
Status Date / Time:	January 4, 2019, 10:23 am
Location:	CLAREMORE, OK 74017
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	RCI SPECIAL RISK LLC

Shipment Details

Weight:	2.0oz
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Recipient Signature

Signature of Recipient:	<i>Melissa Dougherty</i> <i>Melissa Dougherty</i>
Address of Recipient:	<i>Box 1185</i>

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

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