

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

STATE OF OKLAHOMA, *ex rel.* GLEN
MULREADY, Insurance Commissioner,

Petitioner,

vs.

JULIA JANAY SPENCER, a licensed bail
bondsman in the State of Oklahoma,

Respondent.

FILED

FEB 21 2019

**INSURANCE COMMISSIONER
OKLAHOMA**

CASE NO. 19-0080-DIS

**CONDITIONAL ADMINISTRATIVE ORDER
AND NOTICE OF RIGHT TO BE HEARD**

COMES NOW the State of Oklahoma, *ex rel.* Glen Mulready, Insurance Commissioner,
by and through counsel, Brian C. Chandler, and alleges and states as follows:

JURISDICTION AND AUTHORITY

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma (“Commissioner”) and administers and enforces the Oklahoma Bail Bond Act, *59 Okla. Stat. Ann. §§ 1301-1341*. The Commissioner is the chief executive officer of the Oklahoma Insurance Department (“Department”). *36 Okla. Stat. Ann. § 301*.

2. The Commissioner has jurisdiction over the subject matter in this administrative action and may issue penalties pursuant to *59 Okla. Stat. Ann. § 1310*.

3. Julia Janay Spencer (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 100234156, and Respondent’s mailing address of record with the Department is 11606 Shasta Lane, Oklahoma City, OK 73162-1601.

4. Respondent is a licensed bail bondsman, and therefore, a monthly report is due.

59 Okla. Stat. Ann. § 1314(B); 59 Okla. Stat. Ann. § 1310(A)(24).

5. In addition to any potential denial, censure, suspension, or revocation, any person violating any provision of the Oklahoma Bail Bond Act may be subject to a civil penalty of not less than Two-Hundred Fifty Dollars (\$250.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each occurrence of a violation. *59 Okla. Stat. Ann. § 1310(B).*

6. In the event that the Respondent requests a hearing in writing in this matter, the Commissioner shall appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing. *59 Okla. Stat. Ann. 1311.1; Okla. Admin. Code § 365:1-7-1.*

7. Upon written request reasonably made by a person affected by the hearing and at such person's expense, the Commissioner shall cause a full stenographic record of the proceedings to be made by a competent court reporter. *Okla. Admin. Code 365:1-7-5.*

PROPOSED FINDINGS OF FACT

8. Respondent failed to timely submit her October 2018 NOSURETY bail bond report which was due no later than November 15, 2018. Respondent's report was filed untimely on November 25, 2018.

9. Respondent failed to timely submit her November NOSURETY bond report which was due no later than December 17, 2018. Respondent's report was filed untimely on December 19, 2018.

10. Respondent failed to timely submit her December NOSURETY bond report which was due no later than January 15, 2019. Respondent's report was filed untimely on January 17, 2019.

PROPOSED CONCLUSIONS OF LAW

11. Respondent has violated *59 Okla. Stat. Ann. § 1310(A)(24)* by failing to timely file monthly reports as required by *59 Okla. Stat. Ann. § 1314*.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that Respondent violated the provisions of *59 Okla. Stat. Ann. §§ 1310(A)(24)* and *1314* by failing to timely file monthly reports and is hereby **FINED TWO HUNDRED AND FIFTY DOLLARS (\$250.00)**. The civil fine shall be paid within thirty (30) days of receipt of this conditional administrative order by Respondent and made payable to the Oklahoma Insurance Department. Subject to the following paragraph, failure to timely pay the civil fine may result in further administrative action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this order is a conditional administrative order. Unless Respondent requests a hearing with respect to the proposed findings of fact and proposed conclusions of law set forth above within thirty (30) days of receipt of this conditional administrative order by the Respondent, this conditional administrative order and the penalties set forth above shall become a final administrative order on the thirty-first (31st) day following the receipt of this conditional administrative order by Respondent. Such request for hearing, if desired, shall be in writing, addressed to Brian C. Chandler, Assistant General Counsel, Oklahoma Insurance Department, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112, and shall state the basis for requesting the hearing. 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 Bail Bond Act, *59 Okla. Stat. Ann. §§ 1301-1341*, and the

Oklahoma Administrative Procedures Act, 75 *Okla. Stat. Ann.* §§ 250 through 403. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this conditional administrative 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 herein shall be considered withdrawn, pending final resolution at the hearing .

WITNESS My Hand and Official Seal this 20 day of February, 2019



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Brian C. Chandler

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

CERTIFICATE OF MAILING

I 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 21st day of February, 2019, to:

Julia Janay Spencer
11606 Shasta Lane
Oklahoma City, OK 73162-1601

CERTIFIED MAIL NO. 9214 8902 0982 7500 0175 56

And a copy was delivered to:

Lewis Garrison, Director
Bail Bonds Division


Brian C. Chandler



March 6, 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 0175 56.

Item Details

Status:	Delivered, Left with Individual
Status Date / Time:	February 23, 2019, 3:08 pm
Location:	OKLAHOMA CITY, OK 73162
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	JULIA JANAY SPENCER

Shipment Details

Weight:	2.0oz
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Recipient Signature

Signature of Recipient:

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Sincerely,
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