

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

FILED
MAR 19 2019
INSURANCE COMMISSIONER
OKLAHOMA

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

Petitioner,

v.

DAVID E. FAUST, an applicant for a resident
insurance producer license,

Respondent.

Case No. 19-0179-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 his attorney, Teresa L. Green, and alleges and states as follows:

JURISDICTION

1. Glen Mulready 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 Oklahoma Producer Licensing Act, *36 O.S. §§ 1435.1 et seq.*

2. David E. Faust ("Respondent") is an applicant for a resident insurance producer license in the State of Oklahoma, former license number 197512. His address of record is 217 S. Choctaw, Bartlesville, OK 74003.

3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license and/or may levy a fine of not less than \$100.00 nor more than \$1,000.00 for each occurrence. *36 O.S. § 1435.13(A) and (D).*

FINDINGS OF FACT

4. Oklahoma Insurance Department's records show that Respondent's license became inactive on February 28, 2019, for failing to renew.

5. Respondent submitted an application to reinstate his producer license on March 13, 2019.

6. Respondent failed to maintain an active license while conducting insurance business during the period of March 1, 2019, through March 13, 2019, during which time Respondent sold approximately twenty-two (22) insurance policies.

CONCLUSIONS OF LAW

7. Respondent violated 36 O.S. § 1435.4(A) by selling, soliciting, or negotiating insurance in Oklahoma for any class of insurance without a license for that line of authority when Respondent failing to maintain an active producer license and sold approximately twenty-two (22) insurance policies without a license.

8. Pursuant to 36 O.S. § 1435.13(A)(2), any person violating any insurance laws, or violating any regulation, subpoena or order of the Insurance Commissioner or of any other state's Insurance Commissioner may be subject to a fine of not less than \$100.00 but not more than \$1,000.00 per occurrence.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated 36 O.S. §§ 1435.4(A) and 1435.13(A)(2) and as a result **Respondent is FINED** in the amount of **TWO HUNDRED DOLLARS (\$200.00)**. **The Fine is to be paid within thirty (30) days of receipt of this Order.**

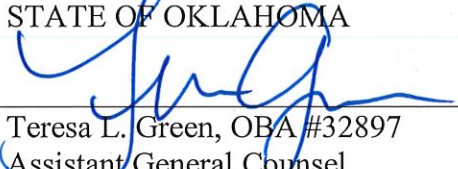
IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing with respect to the Findings of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above will become a Final Order on the thirty-first (31st) 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 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 19th day of March, 2019.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



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

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 sent by certified mail with postage prepaid and return receipt requested on this 19th day of March, 2019, to:

David E. Faust
217 S. Choctaw
Bartlesville, OK 74003

CERTIFIED MAIL NO.

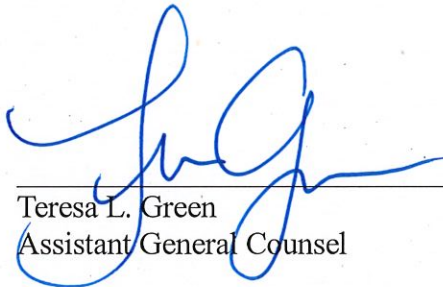
9214 8902 0982 7500 0187 68

and

Notification was sent to:
All Appointing Insurers/RIRS

and

A copy was delivered to:
Licensing Division



Teresa L. Green
Assistant General Counsel



19-0179-015
TLC

Date Produced: 03/25/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0187 68. Our records indicate that this item was delivered on 03/21/2019 at 01:31 p.m. in BARTLESVILLE, OK 74003. The scanned image of the recipient information is provided below.

Signature of Recipient :

Address of Recipient :

217
CHOCTAW

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:

DAVID E FAUST
217 S CHOCTAW AVE
BARTLESVILLE OK 74003-2837

Customer Reference Number: C1277834.7256180