

**FILED**  
**MAR 28 2019**  
**INSURANCE COMMISSIONER**  
**OKLAHOMA**

**Case No. 19-0213-DIS**

3. Pursuant to 36 O.S. § 6220(A), the Insurance Commissioner may censure, suspend, revoke or refuse to issue or renew an adjuster license issued pursuant to the Act for any of the causes set forth in 36 O.S. § 6220(A)(1)-(16). Further, "[i]n addition to or in lieu of any applicable denial, suspension, or renovation of a license, any person

violating the provisions of the [Act] may be subject to a civil fine of not more than One Thousand Dollars (\$1,000.00) for each violation." 36 O.S. § 6220(B).

### **ALLEGATIONS OF FACT**

1. Pursuant to 36 O.S. § 6202(3) an insurance adjuster is defined as "any person, firm, association, company, or legal entity that acts in this state for an insurer, and that investigates claims, adjusts losses, negotiates claim settlements, or performs incidental duties arising pursuant to the provisions of insurance contracts on behalf of an insurer and includes: [. . .] 'independent adjusters', meaning any insurance adjuster that suggests or presents to the insurance industry and public that said adjuster acts as an adjuster for a fee or other compensation." In addition, 36 O.S. § 6216(A) provides, among other things, that an adjuster can only investigate or report upon claims to a principal on behalf of insurers "if the adjuster is licensed as an insurance adjuster . . ."

2. On April 30, 2018, Respondent's nonresident insurance adjuster license in the State of Oklahoma expired. On January 29, 2019, Respondent submitted an application for reinstatement of her nonresident insurance adjuster license to the Oklahoma Insurance Department's Licensing Division ("OID Licensing").

3. On January 29, 2019, Respondent was asked by OID Licensing if she had adjusted any claims in the State of Oklahoma since the date that her nonresident insurance adjuster license had expired. On January 30, 2019, OID Licensing was informed by an administrator within Respondent's office that she had, in fact, worked insurance claims in the State of Oklahoma after the date her license expired.

4. On March 25, 2019, Respondent provided OID Licensing with a list of insurance claims she had worked in the State of Oklahoma since the date her license

expired. More specifically, the provided list showed that Respondent had performed adjustment services on approximately forty-eight (48) insurance claims in the State of Oklahoma without being properly licensed as required by 36 O.S. § 6216(A).

#### **ALLEGED VIOLATIONS OF LAW**

1. Respondent violated 36 O.S. § 6220(A)(8), violation of any provision of the Insurance Adjuster Licensing Act, through a violation of 36 O.S. § 6216(A), by investigating or reporting upon claims to a principal on behalf of an insurer without being licensed as an insurance adjuster.

#### **ORDER**

**IT IS THEREFORE ORDERED** by the Insurance Commissioner that Respondent is **CENSURED** and **FINED ONE HUNDRED DOLLARS (\$100.00)**. **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 reinstatement of her nonresident insurance adjuster 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 Respondent's 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 Allegations of Fact set forth above within thirty (30) days of the date of receipt of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the date of receipt of this Order. A request for hearing should be in writing addressed to Barron B. Brown,



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 shall be conducted according to the procedures for contested cases under Oklahoma Insurance Code (36 O.S. §§ 101 et seq.), Oklahoma Administrative Code, Title 365 – Insurance Department (O.A.C. 365:1-7-1 through 1-7-9) and the Oklahoma Administrative Procedures Act (75 O.S. §§ 308a et seq.). If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall 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 shall be considered withdrawn, pending final resolution at the hearing.

**WITNESS** My Hand and Official Seal this 28<sup>th</sup> day of March, 2019.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

*Barron B. Brown*

Barron B. Brown  
Assistant General Counsel  
Oklahoma Insurance Department  
3625 NW 56<sup>th</sup> St., Suite 100  
Oklahoma City, OK 73112  
Telephone: (405) 521-2746  
Facsimile: (405) 522-0125

**CERTIFICATE OF MAILING**

I, Barron B. Brown, 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 28<sup>th</sup> day of March, 2019, to:

Julia Christine Arnett  
5139 Stonehedge Blvd. Apt. 8  
Fort Wayne, IN 46835

**CERTIFIED MAIL NO.**

9214 8902 0982 7500 0189 97

and a copy was delivered to:

Licensing Division



Barron B. Brown  
Assistant General Counsel



Oklahoma Insurance Department  
Legal Division  
3625 NW 56th, Suite 100  
OKC, OK 73112

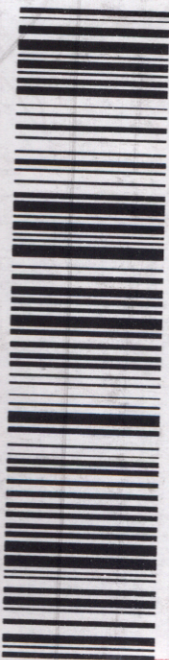
LN  
4-4-19

15:56 PM 6/1/2019

9400922557089260

**CERTIFIED MAIL™**

USPS CERTIFIED MAIL



9214 8902 0982 7500 0189 97

JULIA CHRISTINE ARNETT  
5139 STONEHEDGE BLVD APT 8  
FORT WAYNE IN 46835-3170

RECEIVED  
OKLAHOMA INSURANCE DEPARTMENT

MAY 13 2019

Legal Division

24/19

UNC  
4683531701.com

NIXIE 462 SE 1 8604/30/19  
RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD  
BC: 73112451125 \*0657-02938-29-41

NEOPOST

03/29/2019

US POSTAGE \$006.25

FIRST-CLASS MAIL



ZIP 73112  
041M11276941