

**FILED**  
MAY 22 2019  
INSURANCE COMMISSIONER  
OKLAHOMA

**Respondent.**

)
)
)
)
)
)
)
)
)
)

**Case No. 19-0303-DEN**

## JURISDICTION AND AUTHORITY

4. The Commissioner may censure, suspend, revoke, or refuse to issue or renew a

license and/or may levy a civil fine up to One Thousand Dollars (\$1,000.00) for each occurrence of a violation of the Oklahoma Insurance Code pursuant to *36 Okla. Stat. Ann. § 6220(B)*.

5. If the Applicant requests a hearing in writing in this matter, the Commissioner will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing. *Okla. Admin. Code 365:1-7-1; 36 Okla. Stat. Ann. § 319*.

6. 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**

7. Applicant submitted a renewal application for an Oklahoma insurance adjuster license on April 30, 2019.

8. Question No. 2 of the application asks in pertinent part:

Has the business entity...been named or involved as a party in an administrative proceeding...which has not been previously reported to this insurance department?

9. Applicant answered "No" to Question No. 2. Applicant had been a party to an administrative proceeding in the State of New York that was undisclosed at the time of this renewal application.

10. Upon the Department's request for additional information for its failure to disclose the above-referenced administrative proceeding, Applicant provided additional information, including the temporal proximity between the conclusion of that administrative proceeding and this renewal application and that said administrative proceeding was resolved by stipulation between the New York State Department of Financial Services and the Applicant.

### **PROPOSED CONCLUSIONS OF LAW**

11. Applicant has violated 36 *Okla. Stat. Ann. § 6220(A)(1)* by answering “No” and thereby failing to disclose a previously unreported administrative proceeding on its renewal application for an Oklahoma insurance adjuster license.

### **ORDER**

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner, subject to the following paragraph, that Applicant is hereby FINED ONE HUNDRED DOLLARS (\$100.00) for a violation of 36 *Okla. Stat. Ann. § 6220(A)(1)* by answering “No” and failing to disclose that it was a party to a previously unreported administrative proceeding. The fine is to be paid within thirty (30) days of receipt of this conditional administrative order and made payable to the Oklahoma Insurance Department. The application for the renewal of Applicant’s Oklahoma insurance adjuster 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 of receipt of this conditional administrative order, will result in Applicant’s renewal application being withdrawn.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this order is a conditional administrative order. Unless the Applicant requests a hearing with respect to the proposed findings of fact set forth above within thirty (30) days of receipt of this conditional administrative order, this conditional administrative order and the penalties set forth above shall become a final administrative order on the thirty-first (31<sup>st</sup>) day following receipt of this conditional administrative order by the Applicant. A request for hearing shall be in writing and addressed to Brian C. Chandler, Assistant General Counsel, Oklahoma Insurance Department, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112. The

request for hearing shall state the grounds for the request to set aside or modify the conditional administrative 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 Okla. Stat. Ann. §§ 101 et seq.*, and the Oklahoma Administrative Procedures Act, *75 Okla. Stat. Ann. §§ 250 through 324*. If the Applicant 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 in this conditional administrative order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 13 day of May, 2019.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA



Brian C. Chandler OBA#31016  
Assistant General Counsel  
Oklahoma Insurance Department  
3625 NW 56<sup>th</sup> 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 certified mail with return receipt requested and postage pre-paid on this 2nd day of, to May, 2019:

PRO IS, INC.  
3501 Concord Road  
P.O. Box 3709  
York, PA 17402-0136

**CERTIFIED MAIL NO.**

9214 8902 0982 7500 0210 34

and a copy was delivered to:

Lorie Jones, Licensing Administrator  
Licensing Division

Brian C. Chandler  
Brian C. Chandler



19-0303-DEN  
BCC

Date Produced: 06/03/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0210 34. Our records indicate that this item was delivered on 05/29/2019 at 09:49 a.m. in HARRISBURG, PA 17102. The scanned image of the recipient information is provided below.

Signature of Recipient :

Address of Recipient :

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:

PRO IS INC  
PO BOX 3709  
YORK PA 17402-0136

Customer Reference Number: C1397385.7849580