

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
AUG 30 2019
INSURANCE COMMISSIONER
OKLAHOMA

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

Petitioner,)

ACCREDITED SURETY & CASUALTY)
COMPANY,)

an insurance company licensed to act as)
bail surety in the state of Oklahoma,)

CASE NO. 19-0380-DIS

Respondent.

AMENDED 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, Sara A. Worten, and alleges and states as follows:

JURISDICTION

1. Glen Mulready 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. §§ 101-7401, and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1341.

2. Respondent Accredited Surety & Casualty Company ("ASCC") is an insurance company licensed to act as bail surety in the state of Oklahoma holding NAIC number 26379. ASCC's address of record is P.O. Box 140855, Orlando, FL 32814-0855.

3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 59 O.S. §§ 1310 and 1332 and 36 O.S. §§ 619.

4. If ASCC requests a hearing in writing in this matter, pursuant to OAC 365:1-7-1, the Insurance Commissioner, pursuant to 59 O.S. § 1311.1 and 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.

ALLEGATIONS OF FACT

6. On or about March 23, 2015, an appearance bond was executed as follows:

Defendant:	ZZ Tyree Jabbar
Case Number(s):	CF-2015-17
City/County:	Canadian County
Surety:	Accredited Surety & Casualty Company
Bondsman:	Dudley Goolsby
Power Number(s):	AD-00792988
Bond Amount(s):	\$50,000.00

7. On January 30, 2019, the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued and filed in the case on February 11, 2019, by the Canadian County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Dudley Goolsby and ASCC with return receipt requested within 30 days after the Order's filing.

8. Dudley Goolsby's copy of the Order and Judgment of Forfeiture was returned unclaimed as he is deceased as of October, 1, 2017.

9. ASCC received a copy of the Order and Judgment of Forfeiture on February 14, 2019.

10. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was May 16, 2019.

11. The forfeiture was untimely paid July 10, 2019. The defendant was not timely

returned to custody.

ALLEGED VIOLATIONS OF LAW

12. ASCC violated 36 O.S. § 619 by failing to comply with OAC 365:25-5-40 and 365:25-5-41(b)(2) and as also required by 59 O.S. §1332.

13. Pursuant to 36 O.S. § 618, any insurance company violating any provision of any statute for which the Commissioner has jurisdiction may be subject to a civil penalty of not more than \$5,000.00 for each occurrence.

ORDER

IT IS THEREFORE ORDERED that ASCC is **FINED \$500.00**. The fine is to be paid within 30 days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. Failure to comply with a proper order of the Commissioner may result in further administrative action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless ASCC requests a hearing with respect to the Allegations of Fact set forth above within 30 days of the date of this Order, the penalties set forth above shall become a Final Order on the thirty-first day following the date of mailing this Order. A request for hearing should be in writing and addressed to Sara Worten Oklahoma Insurance Department, Legal Division, 3625 NW 56th 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 and 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., the Oklahoma Bail Bond Act, 59

O.S. § 1311.1 and the Oklahoma Administrative Procedures Act, *75 O.S. §§ 250 through 324*. If ASCC 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 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 30th day of August, 2019.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Sara A. Worten
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405) 522-0125

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 regular mail and by certified mail, with postage prepaid and return receipt requested, on this 30th day of August 2019, to:


Accredited Surety & Casualty Company
P.O. Box 140855
Orlando, FL 32814

CERTIFIED MAIL NO.

9214 8902 0982 7500 0233 42

and a copy was delivered to:

Lewis Garrison
Renonda Stogsdill
Bail Bonds Division


Sara A. Worten



19-0380-015
8AW

Date Produced: 09/09/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0233 42. Our records indicate that this item was delivered on 09/04/2019 at 11:04 a.m. in ORLANDO, FL 32803. The scanned image of the recipient information is provided below.

Signature of Recipient :

S Ramey
S Ramey

Address of Recipient :

140855

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:

ACCREDITED SURETY & CASUALTY COMPANY
PO BOX 140855
ORLANDO FL 32814-0855

Customer Reference Number: C1590595.8777384