

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**  
OCT 08 2019  
INSURANCE COMMISSIONER  
OKLAHOMA

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

Petitioner,

v.

WILSON-LITTLE FUNERAL HOME,  
INC., an applicant for a prepaid funeral benefits )  
permit in the State of Oklahoma, )

Respondent. )

Case No. 19-0603-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 counsel, Sara Worten, and alleges and states as follows:

**JURSDICTION AND AUTHORITY**

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 et seq., including the Prepaid Funeral Benefits Act (the "Act"), 36 O.S. §§ 6121 through 6136.18.

2. Wilson-Little Funeral Home, Inc. ("Respondent") is an applicant for reinstatement of its prepaid funeral benefits permits in the State of Oklahoma

3. 36 O.S. § 6130(B) provides that violation of any provision of Sections 6121 through 6136.18 shall constitute a cause for the Insurance Commissioner to issue a notice and order to show cause why the licensee shall not be censured, have the license of the licensee suspended or revoked, be subject to a fine of not less than One Hundred Dollars (\$100.00) and

not more than One Thousand Dollars (\$1,000.00), or be subject to both such fine and punishment.

### **ALLEGATIONS OF FACT**

1. Respondent previously maintained two prepaid funeral benefits permits ("prepaid permit") in the State of Oklahoma holding permit numbers 44200302 and 44200117. Its previous prepaid permits expired on December 31, 2016.

2. Pursuant to 36 O.S. § 6121(A), it shall be unlawful to sell prepaid funeral benefits unless the seller holds a valid, current permit at the time the contract is made.

3. Respondent admitted to the Oklahoma Insurance Department (the "Department") that it continued to actively sell prepaid funeral benefits in the State of Oklahoma post-expiration date of its previous prepaid permits in violation of 36 O.S. § 6121(A).

4. Respondent submitted its completed application for new prepaid permits to the Department on September 24, 2019.

### **ALLEGED VIOLATIONS OF LAW**

1. Respondent has violated 36 O.S. § 6121(A) by selling prepaid funeral benefits without holding valid and current permits.

### **ORDER**

**IT IS THEREFORE ORDERED** by the Insurance Commissioner that Respondent is **FINED \$300.00. The \$300.00 fine is to be paid within 30 days** made payable to the Oklahoma Insurance Department. The \$300.00 civil fine must be paid by money order or cashier's check. Respondent's application for its prepaid funeral benefits permit may be granted upon receipt of payment of the fine. Failure to pay the civil fine or request a hearing within 30 days will result in Respondent's permit 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 30 days of the date of receipt of this Order, this Order and the penalties set forth above will 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 Sara Worton, 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 will be conducted according to the procedures for contested cases under Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250-323. If 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 Allegations of Fact, Alleged Violations 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 8<sup>th</sup> day of October, 2019.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

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

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the *Conditional Administrative Order and Notice of Right to Be Heard* was mailed by certified mail, with postage prepaid and return receipt requested, on the 8th day of October, 2019, to:

Wilson-Little Funeral Home, Inc.  
3132 Tri City Avenue  
Newcastle, OK 73065


**CERTIFIED MAIL NO.** 9214 8902 0982 7500 0243 87

Wilson-Little Funeral Home, Inc.  
127 S. Canadian Street  
Purcell, OK 73080

**CERTIFIED MAIL NO.** 9214 8902 0982 7500 0243 94

and a copy was delivered via electronic mail to:

Regulated Industry Services Division

  
\_\_\_\_\_  
Sara Worten  
Assistant General Counsel



19-0603-Dis  
811W

Date Produced: 10/28/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0243 87. Our records indicate that this item was delivered on 10/22/2019 at 01:25 p.m. in NEWCASTLE, OK 73065. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery Section	
NAME	Tim Wilson
DATE	10/22/2019

Address of Recipient :

ADDRESS	3132 Tri City
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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:

WILSON-LITTLE FUNERAL HOME INC  
3132 TRI CITY DR  
NEWCASTLE OK 73065-6377

Customer Reference Number: C1669860.9210256



**UNITED STATES  
POSTAL SERVICE**

19-0603 D's  
877W

Date Produced: 10/14/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0243 94. Our records indicate that this item was delivered on 10/11/2019 at 08:34 a.m. in PURCELL, OK 73080. The scanned image of the recipient information is provided below.

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*[Handwritten signature]*  
*[Handwritten signature]*

Address of Recipient :

**127 S CANADIAN ST  
PURCELL, OK 73080**

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

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Customer Reference Number: C1669860.9210257