

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

MAR 25 2020

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

Petitioner,

v.

NALICO GENERAL AGENCY, INC.
an insurance agency,

Respondent.

INSURANCE COMMISSIONER
OKLAHOMA

Case No. 20-0107-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, Sara A. Worten, 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.*

2. Respondent NALICO General Agency, Inc. ("Respondent") is a non-resident insurance agency holding Oklahoma license number 10004810. Its address of record is P.O. Box 2650, Waco, TX 76702-2650.

3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Oklahoma Producer Licensing Act and/or may levy a fine up to \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code, 36 O.S. § 1435.13(A) and (D).

ALLEGATIONS OF FACT

1. Oklahoma Insurance Department's records show that Respondent's license became inactive on March 31, 2018, for failing to renew.
2. Respondent submitted an application to reinstate its non-resident producer license on January 1, 2020.
3. 36 O.S. § 1435.7(B) requires business entity producers to maintain an insurance producer license. Respondent failed to maintain an active license while conducting insurance business during the period of April 1, 2018 through January 16, 2020. During this time, 534 insurance policies were solicited, negotiated or sold.

CONCLUSIONS OF LAW

1. Pursuant to 36 O.S. § 1435.7(B), a business entity acting as an insurance producer is required to maintain an insurance producer license.
2. Respondent violated 36 O.S. § 1435.4(A) in failing to maintain an active producer license while conducting an insurance-related business, thereby in violation of 36 O.S. § 1435.13(A)(2).

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated 36 O.S. § 1435.13(A)(2) and as a result **Respondent is FINED** in the amount of **\$1,000.00**. **The Fine is to be paid within 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 Allegations of Fact set forth above within 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 day following the date of mailing this Order. A request for hearing should be in writing addressed to Sara A. Worten, Oklahoma Insurance Department, Legal Division, 400 NE 50th Street, Oklahoma City, Oklahoma 73102. 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 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 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 25th day of March, 2020.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

/s/Sara A. Worten

Sara A. Worten
Assistant General Counsel
400 NE 50th Street
Oklahoma City, OK 73105
Telephone: (405) 521-2746

CERTIFICATE OF MAILING

I, Sara A. Worten, 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 and by electronic on this 25th day of March 2020 to:

NALICO General Agency, Inc.
P.O. Box 2650
Waco, TX 76702-2650
lpirtle@natlilcogeneral.com

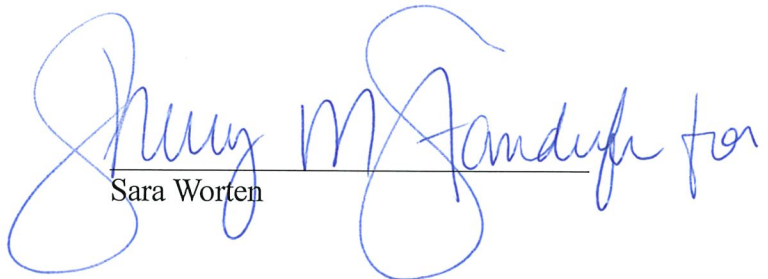
and

Notification was sent to:

All Appointing Insurers/RIRS

and a copy was delivered to:

Licensing Division

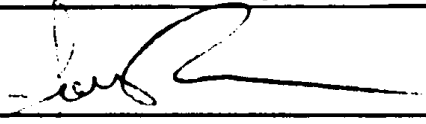

Sara Worten

Date Produced: 03/30/2020

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0281 87. Our records indicate that this item was delivered on 03/28/2020 at 06:10 a.m. in WACO, TX 76702. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery Section	
re	
d	Joe Torres

Address of Recipient :

ty ss	P.O. Box 2650 Waco Tx 76702
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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:

NALICO GENERAL AGENCY INC
PO BOX 2650
WACO TX 76702-2650

Customer Reference Number: C2000695.11403387

Return Reference Number: SMS/20-0107-DIS (SAW)/Cond Ord

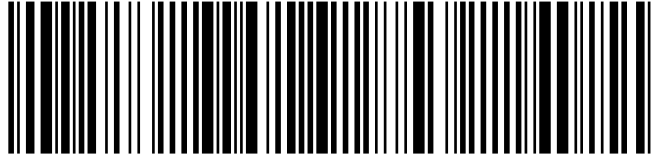
**Return address:**

OKLAHOMA INSURANCE DEPARTMENT
5 CORPORATE PLAZA
OKLAHOMA CITY, OK 73112

Recipient address:

NALICO GENERAL AGENCY INC
PO BOX 2650
WACO TX 76702-2650

MAILING DATE: 03/25/2020
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ORIGIN ACCEPTANCE	OKLAHOMA CITY,OK 73105	03/25/2020 23:31
PROCESSED THROUGH USPS FACILITY	OKLAHOMA CITY,OK 73107	03/26/2020 00:46
DEPART USPS FACILITY	OKLAHOMA CITY,OK 73107	03/26/2020 07:36
PROCESSED THROUGH USPS FACILITY	FORT WORTH,TX 76161	03/27/2020 10:56
DEPART USPS FACILITY	FORT WORTH,TX 76161	03/27/2020 21:30
ARRIVAL AT UNIT	WACO,TX 76702	03/28/2020 06:03
DELIVERED	WACO,TX 76702	03/28/2020 06:10

CASE NUMBER: 20-0107-DIS

DEPARTMENT: LEGAL/SAW

SENDER: SMS

CUSTOM 4: CONDITIONAL ADMINISTRATIVE ORDER & NOTICE OF RIGHT TO BE HEARD