

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
SEP 22 2020
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
 Petitioner,)
v.)
)
 ANTHONY RYAN WHITAKER,)
 a resident producer,)
)
 Respondent.)

Case No. 20-0234-DIS

AGREED ORDER

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, by and through counsel, Antuanya "Bo" DeBose, and Respondent Anthony Ryan Whitaker, by and through counsel, Andrew Jayne, and agree to entry of this Order.

JURISDICTION

The parties stipulate to the following:

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, including the Oklahoma Producer Licensing Act, 36 O.S. § 1435.1 et seq..
2. Respondent Anthony Ryan Whitaker ("Respondent") holding license number 98111, is licensed by the State of Oklahoma as a resident insurance producer as defined and required by 36 O.S. § 1435.2(7). His address of record is 10518 South 86th E. Place, Tulsa, Oklahoma 74133.
3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 36 O.S. § 1435.13(A) and (D).

4. Informal disposition of this matter may be made by agreed settlement pursuant to 75 O.S. §309(E).

FINDINGS OF FACT

1. On or about January 23, 2020, the consumer assistance and claims division of the Oklahoma Insurance Department received a complaint from Summer Michele Hodson, alleging former agent for Shelter Insurance Companies ("Shelter"), Respondent, contacted her and her spouse, Jeremy Hodson, requesting payments for insurance policies they did not sign up for. After Mrs. Hodson contacted Shelter directly, they began an internal review of the issue.

Fictitious Policies

2. According to Shelter, the internal review of the Hodsons' policies revealed that on or about September 14, 2017, Respondent created and submitted electronic applications for two life insurance policies on the Hodsons. The policy number(s) were U200008261 and U200008262. Those life insurance policies were paid by money orders and the address used on both the applications and money orders was 1116 Aspen Place. Mrs. Hodson advised Shelter that address is not correct and that she has never made any insurance premium payment by money order or cash. After Shelter sent the Hodsons the signature page from the life insurance policies, Mrs. Hodson stated the signatures are neither her nor her husband's. The Hodsons have never met the Respondent or been to his office.

3. According to Shelter, the internal review of the Hodsons policies also revealed that on or about November 21, 2017, Respondent created a renter's policy for 1116 Aspen Place and two (2) boatowner policies on two 2003 Polaris MSXs in the Hodson's name. The applications were submitted the next day with one money order. The applications were

submitted with the incorrect last name of Hudson not Hodson. The mailing address used for these policies was P.O. Box 947 in Mannford, Oklahoma. Mrs. Hodson confirmed this is not their address and they have never used that address. Mrs. Hodson also states they have never owned the listed boats and did not sign up for these policies.

4. Mrs. Hodson states and Shelter confirms that the Hodsons have two policies with Shelter through Agent Peter Grimm that are legitimate. On or about June 27, 2017, Agent Peter Grimm wrote a dwelling application on the Hodson's home located at 106 Aspen Drive in Mannford, Oklahoma. The Dwelling Policy (35-73-10232460-1) is still active in Mr. Grimm's agency and the payment is withdrawn monthly from the Hodson's checking account. On or about August 11, 2017, Agent Peter Grimm wrote a boatowners application for the insured's 2003 Bayliner. This boat policy (35-92-10232460-1) was cancelled by the Hodsons effective September 3, 2019 and a \$15.16 refund was issued. There are no issues with these policies.

5. On or about March 12, 2020, Shelter completed its investigation of Respondent and the Respondent's appointment with Shelter was terminated with cause.

6. Rather than responding to the allegations of Shelter, Respondent choses to permanently relinquish his resident producer license by agreeing to the Insurance Commissioner's revocation of his Oklahoma Resident Producer License Number 98111, as set forth below.

7. Pursuant to the provisions of *36 O.S. §1435.13*:

- a. 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 or may levy a civil penalty in accordance with subsection D of this section or any combination of actions, for any one or more of the following causes:

- a. Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere;
 - b. Forging another's name to an application for insurance or to any document related to an insurance transaction.
- b. In addition to or in lieu of any applicable denial, probation, censure, suspension or revocation of a license, a person may, after opportunity for hearing, be subject to a civil fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each occurrence. Said penalty may be enforced in the same manner in which civil judgments may be enforced.

CONCLUSIONS OF LAW

1. The Respondent violated *36 O.S. §1435.13(A)(8)* by creating and submitting two (2) fictitious life insurance policies, two (2) fictitious boat owner policies and a fictitious renter's policy on behalf of Summer and Jeremy Hodson without their knowledge or consent. These policies were paid for using money orders not remitted by the Hodsons and mailed to the incorrect address.
2. The Respondent violated *36 O.S. §1435.13(A)(10)* by submitting electronic insurance applications with the Hodson's forged signature(s).

ORDER


IT IS THEREFORE ORDERED by the Insurance Commissioner and AGREED to by Respondent that his Oklahoma Resident Producer License Number 98111 is hereby REVOKED.

IT IS FURTHER ORDERED by the Insurance Commissioner and AGREED to by the Respondent that Respondent is hereby FINED in the amount of ONE HUNDRED DOLLARS (\$100.00). The fine shall be paid within thirty (30) days from the date of this Agreed Order and made payable to the Oklahoma Insurance Department, located at 400 NE 50th Street, Oklahoma City, Oklahoma 73112. Failure to comply with a proper order of the Commissioner will result in further administrative action.

WITNESS My Hand and Official Seal this 22nd day of September 2020.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

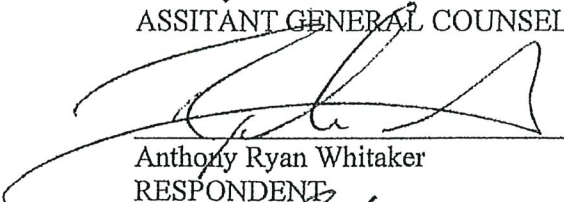


Brian Downs
Chief of Staff

AGREED TO:



Antuanya 'Bo' DeBose
ASSITANT GENERAL COUNSEL



Anthony Ryan Whitaker
RESPONDENT



Andrew Jayne
ATTORNEY FOR ANTHONY RYAN WHITAKER

CERTIFICATE OF MAILING

I, Antuanya "Bo" DeBose, hereby certify that a true and correct copy of the above and foregoing Agreed Order was mailed by first class U.S. Mail and by certified mail with postage prepaid and return receipt requested on this 2nd day of September, 2020 to:

Anthony Ryan Whitaker
10518 South 86th E Place
Tulsa, Oklahoma 74133

CERTIFIED MAIL NO:
9214 8902 0982 7500 0313 30

and that a copy was delivered to: Licensing Division



Antuanya "Bo" DeBose



20-023411'S
ASD

Date Produced: 09/28/2020

OKLAHOMA INSURANCE DEPARTMENT:

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Signature of Recipient :

Delivery Section	
Signature X	
Printed Name	A. Ryan Whitaker

Address of Recipient :

Delivery Address	10518 S 86th E. ?!
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Sincerely,
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The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

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