

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
NOV 30 2020
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
v.)
)
CHRISTOPHER MICHAEL BROWN,)
a resident producer,)
)
)
Respondent.)

Case No. 20-0240-DIS

FINAL ADMINISTRATIVE ORDER

This matter is a disciplinary proceeding under the Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1 et seq. On November 24, 2020, a show cause hearing was held at the Oklahoma Insurance Department (“OID”) on OID’s *Notice of Hearing and Order to Show Cause* (“Notice”), filed July 10, 2020. The hearing was held at the offices of OID before Independent Hearing Examiner Stephan S. Mathis. Present at the hearing were Antuanya “Bo” DeBose, Assistant General Counsel for OID and Claire Thomas, an investigator for AFLAC, appeared via teleconference. After several attempts at service, Respondent Christopher Michael Brown (“Respondent”) failed to appear.

Witnesses were sworn and testified, exhibits were admitted, and argument of the parties heard.

FINDINGS OF FACT

1. The OID has jurisdiction over the subject matter of this action pursuant to 36 O.S. §§101-7401, including the Oklahoma Producer Licensing Act, 36 O.S. §1435.1 et seq.
2. That the Insurance Commissioner has the authority to render an Order concerning

the above styled matter and has lawfully appointed Independent Hearing Examiner, Stephan Mathis, who shall sit as a quasi-judicial officer pursuant to *36 O.S. §319*.

3. Respondent holds a resident producer license number 3000718503 and is licensed by the State of Oklahoma. Respondent's address of record is 124 Dogwood, Mannford, Oklahoma 74044.

4. 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 *36 O.S. 1435.13(A) and (D)*.

5. Petitioner afforded Respondent an opportunity for hearing by sending the *Notice* by certified mail return receipt requested and by first class U.S. mail on July 10, 2020 to Respondent. The *Notice*, filed on July 10, 2020, stated the matters asserted, and stated the time, place, and nature of the hearing, cited legal authority and jurisdiction, and referred to particular sections of the statutes involved.

6. Two (2) continuances were filed in this matter, one filed August 17, 2020 and the other filed October 22, 2020. Both were sent to Respondent by certified mail return receipt requested and by first class U.S. mail.

7. The hearing was recorded electronically by an employee of the Oklahoma Insurance Department. Neither party requested a full stenographic record of the proceedings.

8. The following exhibit was introduced and admitted:

a. Exhibit A: AFLAC's List of Fictitious Policyholders

9. The following witnesses were sworn and testified under oath:

a. Claire Thomas, AFLAC Investigator

10. AFLAC received complaints alleging Respondent submitted business to AFLAC which appeared to represent ninety-five (95) employees of a fictitious business named Avenger Protection Services, LLC ("Avenger"). Respondent submitted business representing ninety-five (95) employees, resulting in the issuance of three hundred thirty eight (338) health insurance policies. AFLAC assigned investigator Claire Thomas (Investigator Thomas) to investigate the matter on their behalf. (See Testimony of Claire Thomas and Exhibit A)

11. During the investigation of Respondent, AFLAC was unable to verify the existence of Avenger. Additionally, AFLAC attempted to verify the people listed on the policies were actually employees of Avenger and could not do so. (See Testimony of Claire Thomas)

12. During the investigation of Respondent, AFLAC discovered the listed address for Avenger, 124 Dogwood, Mannford, Oklahoma 74094, is the former residence of Stephen Butler ("Butler"). During AFLAC's interview, Butler indicated he has nothing to do with Avenger and that he did not apply for any policies issued in his name by the Respondent. (See Testimony of Claire Thomas)

13. Several attempts were made by Investigator Thomas to contact Respondent, however Respondent refused to cooperate with either investigation. (See Testimony of Claire Thomas)

14. No premium was ever received by AFLAC for any of the policies issued by Respondent. (See Testimony of Claire Thomas)

15. AFLAC reports its financial loss is \$53,939.33 through advanced commission payments to Respondent. All policies eventually cancelled for non-payment. (See Testimony of Claire Thomas and Exhibit A)

CONCLUSIONS OF LAW

16. That OID has jurisdiction over this matter and Respondent pursuant to *36 O.S. 1435.1 et seq.*
17. That Respondent is licensed by OID as a resident producer pursuant to *36 O.S. §1435.1 et seq.*
18. That Respondent was provided adequate notice and a hearing pertaining to the *Notice*, was held on November 24, 2020 in accordance with the Oklahoma Insurance Code and Oklahoma Administrative Procedures Act.
19. Based upon the provided findings of fact there is clear and convincing evidence to find that Respondent violated the following:
 - a. *36 O.S. §1435.13(A)(8)*, demonstrating fraudulent and dishonest practices by submitting business to AFLAC representing ninety-five (95) employees of a fictitious business named Avenger Protection Services, LLC (“Avenger”). Respondent submitted business representing ninety-five (95) fictitious employees, resulting in the issuance of three hundred thirty-eight (338) health insurance policies.
 - b. *36 O.S. §1435.13(A)(10)* by submitting the above-mentioned policies using electronic signature, without the knowledge of the alleged policy holder.
 - c. *36 O.S. §1435.8(F)* by failing to inform the Insurance Commissioner of a change in his address and/or email address within thirty (30) days of the change.
20. Pursuant to the provisions of *36 O.S. §1435.13*, 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 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 judgements may be enforced.

ORDER

IT IS THEREFORE ORDERED that Respondent Christopher Michael Brown's resident producer license number 3000718503 is hereby revoked. Respondent is ordered to pay the costs of the proceeding in the amount of one hundred twenty-five dollars (\$125.00) and a fine in the amount of one thousand dollars (\$1,000.00) per incident for a total of three hundred thirty-eight thousand dollars (\$338,000.00). The Insurance Commissioner shall notify all appointing insurers of the revocation and shall notify the Central Office of the National Association of Insurance Commissioners of Respondent's revocation.

Dated this 24th day of November 2020.





Stephan S. Mathis
INDEPENDENT HEARING EXAMINER
OKLAHOMA INSURANCE DEPARTMENT

CERTIFICATE OF MAILING

I, Antuanya "Bo" DeBose, hereby certify that a true and correct copy of the above and foregoing Final Administrative Order was mailed by first class U.S. Mail and by certified mail with postage prepaid and return receipt requested on this 30th day of November, 2020 to:

Christopher Michael Brown
P.O. Box 2059
Mannford, Oklahoma 74044

CERTIFIED MAIL NO:
9214 8902 0982 7500 0326 58

Christopher Michael Brown
12166 Colorado Blvd, Apt 117
Thornton, Colorado 80241

CERTIFIED MAIL NO:
9214 8902 0982 7500 0326 65

Christopher Michael Brown
Christopher.mbrown@yahoo.com
&
Christopher.mbrown2010@gmail.com

and that a copy was delivered to:

Licensing Division



Antuanya "Bo" DeBose



20-0240-DIS
ASD

Date Produced: 12/14/2020

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0326 58. Our records indicate that this item was delivered on 12/10/2020 at 04:29 p.m. in MANNFORD, OK 74044. The scanned image of the recipient information is provided below.

Signature of Recipient :

Brooke Brown

Address of Recipient :

PO BOX 2059
MANNFORD, OK 74044

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:

CHRISTOPHER MICHAEL BROWN
P.O. BOX 2059
MANNFORD, OK 74044

Customer Reference Number: C2406782.13779426

20-240 Dis
ASD



Date Produced: 12/21/2020

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0326 65. Our records indicate that this item was delivered on 12/18/2020 at 09:08 a.m. in OKLAHOMA CITY, OK 73105. The scanned image of the recipient information is provided below.

Signature of Recipient :

SF 506
E#19

Address of Recipient :

440 502

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.

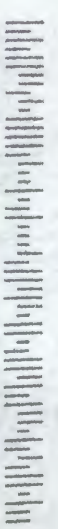
This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

CHRISTOPHER MICHAEL BROWN
APT 117
12166 COLORADO BLVD
THORNTON CO 80241-4206

Customer Reference Number: C2406782.13779427

FTN
Oklahoma I
gal Division
0 NE 50th Street
Oklahoma City, Oklahoma 73105

CERTIFIED MAIL



9214 8902 0982 7500 0326 65

CHRISTOPHER MICHAEL BROWN
APT 117
12166 COLORADO BLVD
THORNTON CO 80241-4206

First Class Mail

NECPOST
12/07/2020
US POSTAGE \$006.45
ZIP 73105
041M11455007

WTF

BC: 73105181600
NOT DELIVERABLE
808 FE 1
RETURNABLE TO SENDER
FORWARD AS ADDRESSED
0159N347194-00202
0012/12/20

OKLAHOMA INSURANCE DEPARTMENT
RECEIVED
DEC 18 2020
Legal Division

OKLAHOMA INSURANCE DEPARTMENT
RECEIVED
DEC 18 2020
MAILROOM

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

First Class Mail

CHRISTOPHER MICHAEL BROWN
APT 117
12166 COLORADO BLVD
THORNTON CO 80241-4206

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RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
BC: 73105181600 0159N3511042--00782

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DEC 29 2020
MAILROOM

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DEC 29 2020
Legal Division

RETURN
SERVICE
REQUESTED

STATE OF OKLAHOMA
OFFICIAL MAIL
PRIVATE USE ILLEGAL
1441724 (4975)
See Oklahoma First

20-6740-D15

neopost 12/08/2020
FIRST-CLASS MAIL
AUTO
US POSTAGE \$000.77Z
ZIP 73111
041L12202783

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Legal Division
100 NE 50th Street
Oklahoma City, Oklahoma 73105

