

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

NOV 10 2020

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
ELBA SEGURA,)
a formerly licensed resident insurance)
producer in the State of Oklahoma,)
)
Respondent.)

Case No. 20-0477-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, 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., including the Oklahoma Producer Licensing Act,
36 O.S. § 1435.1 et seq.

2. Respondent Elba Segura ("Respondent"), formerly holding license
#100279178, was licensed by the State of Oklahoma as a resident insurance producer as
defined and required by 36 O.S. § 1435.2(7). Her address of record is 8200 NW 92nd St,
Oklahoma City, Oklahoma 73132. Respondent's license expired on or about October 31,
2018.

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.

ALLEGATIONS OF FACT

4. On December 31, 2019, the Oklahoma Insurance Department's ("OID") Licensing Division ("Licensing") received a letter from State Farm notifying it that Respondent was terminated for cause by her appointing insurer, Chuck Cornelison State Farm Insurance Agency ("Cornelison Agency") due to Respondent's practice of adding or removing individuals who did not meet the relationship requirements to a prospective insured on automobile-insurance quotes in order to qualify the prospective insured for an insurance policy or obtain lower premiums for the prospective insured.

5. On or about February 27, 2020, the OID's Anti-Fraud Division initiated an investigation based on the above information.

6. The investigation, conducted by Investigator Jon Huntington revealed that Respondent was employed with the Cornelison Agency from June 24, 2017 to August 24, 2018. On or about August 24, 2018, Respondent resigned with the Cornelison Agency due to "health reasons" and her plans to relocate to Chicago, Illinois.

7. After relocating to Chicago, Respondent was employed as an insurance producer with the Armando Melendez State Farm Insurance Agency ("Melendez Agency") from November 18, 2018 to May 10, 2019.

8. In March or April 2019, Jeff Hays, a State Farm Audit Consultant, was notified by Sara Mounce, a State Farm Analyst, of several examples of what appeared to be auto quote manipulation performed by Respondent while employed with the Cornelison Agency. Upon investigation, State Farm discovered a number of quotes submitted by Respondent including data changes and corrections listing various individuals as drivers

on successive quotes for a prospective customer whose relationship to those individuals to was questionable.

9. On or about April 16, 2019, Jason Hedican, State Farm Counsel, and JoAnna Hawk, State Farm Agent Administrator in Charge, interviewed Respondent in Downers Grove, Illinois. During said interview, Respondent admitted to adding or removing individuals who did not meet the relationship requirements to a prospective insured on automobile-insurance quotes in order to qualify the prospective insured for an insurance policy or obtain lower premiums for the prospective insured.

10. Respondent was terminated for cause from the Melendez Agency on or about May 19, 2019 due to her actions while employed with the Cornelison Agency.

11. On or about September 17, 2020, Investigator Jon Huntington received a telephone call from Respondent. He attempted to interview Respondent regarding her termination from State Farm; however, she refused to answer any questions regarding her conduct while employed with the Cornelison Agency.

ALLEGED VIOLATIONS OF LAW

12. Pursuant to 36 O.S. § 1435.13(A)(5), “[t]he Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue a license issued pursuant to the Oklahoma Producer Licensing Act or may levy a civil penalty in accordance with subsection D of [the Oklahoma Producer Licensing Act] or any combination of actions, for . . . [i]ntentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance.”

13. Respondent violated 36 O.S. § 1435.13(A)(5) by intentionally misrepresenting the terms of an actual or proposed insurance contract or application for

insurance by adding individuals who did not meet the relationship requirements to prospective insureds on automobile-insurance quotes.

14. Pursuant to 36 O.S. § 1435.13(A)(8), “[t]he Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue a license issued pursuant to the Oklahoma Producer Licensing Act or may levy a civil penalty in accordance with subsection D of [the Oklahoma Producer Licensing Act] or any combination of actions, for . . . [u]sing fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.”

15. Respondent violated 36 O.S. § 1435.13(A)(8) by using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere in adding or removing individuals who did not meet the relationship requirements to prospective insureds on automobile-insurance quotes in order to qualify the prospective insureds for an insurance policy or obtain lower premiums for the prospective insureds.

16. Pursuant to 36 O.S. § 1435.13(D), “[i]n 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. The penalty may be enforced in the same manner in which civil judgments may be enforced.”

ORDER

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Insurance Commissioner, subject to the following paragraph, that Respondent is hereby

FINED Three Hundred Dollars (\$300.00) for violating 36 O.S. §§ 1435.13(A)(5) and (A)(8). The **\$300.00 fine is to be paid within thirty (30) days** of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department.

Respondent is further notified that she may request a hearing within **thirty (30) days of the date of mailing of this Order**. If Respondent does not request a hearing within **thirty (30) days** of the date mailing of this Order, this Conditional Administrative Order shall become a **FINAL ORDER** on the **thirty-first (31st)** day following mailing of this Order.

A request for hearing shall be made in writing to Kayla M. Rochelle, Assistant General Counsel, Oklahoma Insurance Department, Legal Division, 400 NE 50th Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds to set aside or modify this Conditional Administrative Order. Upon such request, a hearing shall be conducted before an independent hearing examiner.

The hearing will be conducted in accordance with the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq. and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 et seq. If Respondent timely serves a request for hearing, 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 of this matter through hearing.

WITNESS My Hand and Official Seal this 10th day of November 2020.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

s/ Kayla M. Rochelle
Kayla M. Rochelle, OBA #34014
Assistant General Counsel
400 NE 50th Street
Oklahoma City, OK 73105
Telephone: 405-521-2748
Facsimile: 405-522-0125
Email: Kayla.Rochelle@oid.ok.gov

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 first-class regular mail, certified mail, with postage prepaid and return receipt requested, and electronic mail on this 10th day of November 2020 to:

Elba Segura
8200 NW 92nd St
Oklahoma City, OK 73132

CERTIFIED MAILING NO. 7020 0640 0000 7898 3569

7311 W. Belmont Ave.
Chicago, IL 60634

CERTIFIED MAILING NO. 7020 0640 0000 7898 3552

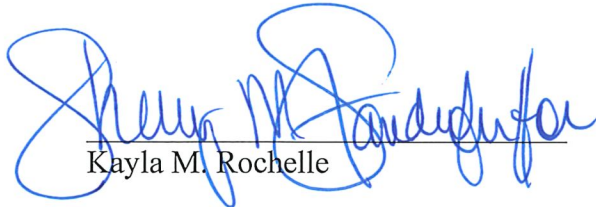
elbasegura74@gmail.com

and that a copy was delivered to:

Courtney Khodabakhsh
Licensing Division

and

Jon Huntington
Anti-Fraud Division


Kayla M. Rochelle



**OKLAHOMA
INSURANCE
DEPARTMENT**

Legal Division
Insurance Commissioner Glen Mulready
400 NE 50th Street
Oklahoma City, OK 73105

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OKC, OK 73132

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CHICAGO, IL 60634

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