

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
SEP 01 2020
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
v.)
)
ESCHITI SERVICES, LLC, d/b/a RAY AND)
MARTHA’S FUNERAL HOME,)
a pre-paid funeral benefit permit holder in the)
State of Oklahoma,)
)
Respondent.)

Case No. 20-0382-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, Teresa L. Green, 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 Prepaid Funeral Services and Funeral Service Merchandise Act, *36 O.S. §§ 6121 et seq.*

2. Eschiti Services, LLC, d/b/a Ray and Martha’s Funeral Home (“Respondent”) is a pre-paid funeral benefit permit holder in the State of Oklahoma, permit number 864746. Its mailing address of record is P.O. Box 545, Mountain View, OK 73062.

3. The Insurance Commissioner may censure, suspend or revoke, and/or may fine any permit holder who violates any provision of the Prepaid Funeral Services and Funeral Service

Merchandise Act a civil penalty of not less than \$100.00 and not more than \$1,000.00. *See 36 O.S. § 6130(B).*

FINDINGS OF FACT

4. Pursuant to *36 O.S. § 6129.1*, each organization operating one or more prepaid funeral trusts shall have a financial examination of each trust and related prepaid funeral accounts, annually and whenever the Insurance Commissioner deems it to be prudent or necessary.

5. Starting on or about September 3, 2015, the Oklahoma Insurance Department (“OID”) performed a financial examination on Respondent.

6. Pursuant to *36 O.S. § 309.2*, any insurer or person examined shall pay the proper charges incurred in such examination.

7. On or about September 15, 2015, Regulatory Consultants, Inc. (the “Examiner”) issued invoice number EschitiMount 150915 to Respondent.

8. On or about December 15, 2015, the Examiner issued invoice number EschitiMount 151215 to Respondent.

9. On or about December 15, 2018, the Examiner issued invoice number EschitiMount 153115 to Respondent.

10. On or about January 10, 2020, the Examiner issued statement number 1994 to Respondent summarizing all amounts due pursuant to the previously submitted invoices and requesting payment.

11. On or about June 3, 2020, the OID sent Respondent a Failure to Pay Examination Fees letter. The letter was signed for on or about June 10, 2020.

12. On or about June 10, 2020, the OID sent Respondent a corrected Failure to Pay Examination Fees letter providing the correct amount due. The letter was signed for on or about June 22, 2020.

13. To date, Respondent has not paid the outstanding examination fees.

CONCLUSIONS OF LAW

18. Respondent violated *36 O.S. § 309.2* by failing to pay charges incurred for the *36 O.S. § 6129* financial examination when Respondent did not pay the invoices submitted by the Examiner.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that Respondent is **fin**ed in the amount of **ONE HUNDRED DOLLARS (\$100.00)** for the violations of *36 O.S. § 309.2*. The fine is to be paid within thirty (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 Findings of Fact set forth above within thirty (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 (31st) day following the date of mailing this Order. A request for hearing should be in writing addressed to Teresa L. Green, Oklahoma Insurance Department, Legal Division, 400 N.E. 50th St., Oklahoma City, OK 73105. A request for hearing must state the grounds for the request to set aside or modify this Order.

Any such hearing will be conducted according to the procedures for contested cases under the Insurance Code and *75 O.S. § 250 et seq.* If the Respondent serves a timely request for hearing


on the Oklahoma Insurance Department, then this Conditional Order will act as notice of the matters to be reviewed at the hearing, and the Findings of Fact, Conclusions 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 1st day of September, 2020.



GLEN MULREADY

INSURANCE COMMISSIONER
STATE OF OKLAHOMA


Teresa L. Green, OBA #32897
Assistant General Counsel
Oklahoma Insurance Department
400 N.E. 50th Street
Oklahoma City, OK 73105
Telephone: (405) 521-6654
Facsimile: (405) 522-0125

CERTIFICATE OF MAILING

I, Teresa L. Green, 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 on this 15th day of September, 2020, to:

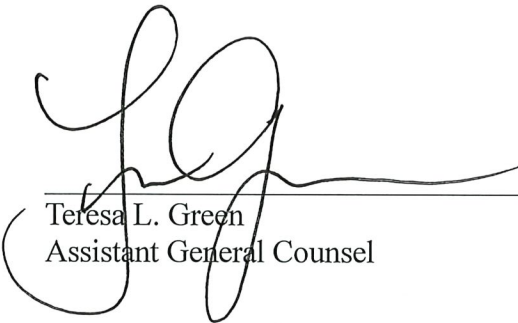
Eschiti Services, LLC
d/b/a Ray and Martha's Funeral Home
P.O. Box 545
Mountain View, OK 73062

CERTIFIED MAIL NO:
9214 8902 0982 7500 0310 40

and a copy was delivered to:

RIS Division

Financial Division



Teresa L. Green
Assistant General Counsel



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Date Produced: 09/14/2020

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0310 40. Our records indicate that this item was delivered on 09/08/2020 at 10:56 a.m. in HOBART, OK 73651. The scanned image of the recipient information is provided below.

Signature of Recipient :

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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:

ESCHITI SERVICES LLC
DBA RAY AND MARTHA'S FUNERAL HOME
PO BOX 545
MOUNTAIN VIEW OK 73062-0545

Customer Reference Number: C2245805.12765430