

FILED
MAR 11 2021
INSURANCE COMMISSIONER
OKLAHOMA

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
v.)
)
CRYSTAL D. MAGGARD)
a customer service representative,)
)
Respondent.)

Case No. 20-0388-DIS

AGREED ORDER

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, by and through counsel, Antuanya “Bo” DeBose, and Respondent Crystal D. Maggard, 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 Crystal D. Maggard (“Respondent Maggard”), now known as Crystal D. Brawley, holding license number 100263478, is licensed by the State of Oklahoma as a customer service representative as defined and required by *36 O.S. § 1435.2(3)*. Her address of record is 18062 Bonnie Street, Thackerville, Oklahoma 73459.
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. The Insurance Commissioner, pursuant to 36 O.S. § 319, has appointed an independent hearing examiner who shall sit as a quasi-judicial officer.

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

STIPULATIONS OF FACT

1. Respondent Maggard was hired by producer Richard Leroy Cain ("Producer Cain") in 2006 and became licensed as a customer service representative on July 13, 2016. Respondent Maggard's CSR license expired December 31, 2018.

2. On or about August 19, 2019, the Anti-Fraud Unit of the Oklahoma Insurance Department ("OID") received an online complaint from Farmers Insurance ("Farmers") alleging Producer Cain and Respondent Maggard used deceptive practices by providing ineligible customers with discounts and reinstating policies without collecting the earned premium. OID assigned Investigator April Moore to follow up.

3. The investigation revealed that Producer Cain and Respondent Maggard manipulated Farmers' billing and policy systems between January 2017 through February 2019 to provide coverage to insureds without collecting the premium owed. Additionally, Producer Cain and Respondent Maggard both entered agency email addresses and bank account information on customer policies to fraudulently obtain the "Go Paperless" and "EFT" discounts.

4. Farmers found the email address cains_insurance@yahoo.com was used to support the Go Paperless discount for 21 policies between November 2015 and December 2018. This email address belongs to the agency, not the insureds.

5. Farmers interviewed Respondent Maggard on or about February 12, 2019. Respondent Maggard stated she input the email address of cains_insurance@yahoo.com to provide the Go Paperless discount. She also stated she rewrote the insureds' policies without collecting earned premium due, as the policies had canceled and could not be reinstated. She told the insureds about the earned premium due but did not try to collect any of it before writing a new policy.

6. 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. 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. Respondent Maggard violated *36 O.S. §1435.13(A)(8)*, using fraudulent and dishonest practices and demonstrating untrustworthiness by using the agency email address and Respondent Cain's personal bank account to apply Farmers "Go Paperless" and "EFT"

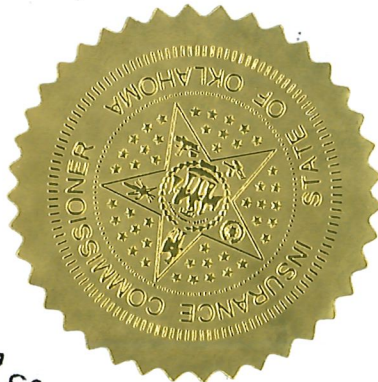
discounts to policies that did not qualify for them. Additionally, Respondent Maggard violated 36 O.S. §1435.13(A)(8) by rewriting the risks on cancelled policies and failing to collect the prior earned premium due.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner and **AGREED** by Respondent Maggard that her customer service representative license number 100263478 is hereby **REVOKED**.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner and **AGREED** by Respondent Maggard that she 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 11 day of ^{March} ~~February~~ 2021.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Steph Mathis
STEPHAN MATHIS
Hearing Examiner

AGREED TO:

Antuanya DeBose
Antuanya "Bo" DeBose
ASSITANT GENERAL COUNSEL

Crystal D. Maggard
Crystal D. Maggard
RESPONDENT

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 11th day of March, 2021 to:

Crystal D. Maggard
18062 Bonnie Street
Thackerville, Oklahoma 73459

CERTIFIED MAIL NO:
9214 8902 0982 7500 0354 68

and that a copy was delivered to:

Licensing Division



Antuanya "Bo" DeBose



20-0388-Dis
(maggard) ASD

Date Produced: 03/29/2021

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0354 68. Our records indicate that this item was delivered on 03/23/2021 at 09:05 a.m. in THACKERVILLE, OK 73459. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery Section	
Signature	Crystal Brawley
Address	Crystal Brawley

Address of Recipient :

Address	11780 Harborview St.
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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:

CRYSTAL D MAGGARD
18062 BONNIE ST
THACKERVILLE OK 73459-2206

Customer Reference Number: C2573442.14789410