

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

**FILED**  
**JAN 25 2021**  
**INSURANCE COMMISSIONER**  
**OKLAHOMA**

**STATE OF OKLAHOMA**, ex rel. GLEN )  
MULREADY, Insurance Commissioner, )  
 )  
Petitioner, )  
vs. )  
 )  
**RACHEL ELISABETH VANPAY**, applicant )  
for adjuster license in the State of Oklahoma, )  
 )  
Respondent. )

CASE NO. 20-0560-DEN

**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 counsel, Antuanya “Bo” DeBose, and alleges and states as follows:

**JURISDICTION**

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*, and the Oklahoma Insurance Adjusters Licensing act, *36 O. S. §§ 6201-6223*.
2. Respondent Rachel Elisabeth VanPay (“Respondent”) is an applicant for a non-resident insurance adjuster license in the State of Oklahoma. Respondent’s address of record is 1475 Eliza Street, Green Bay, Wisconsin, 54301.
3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to *36 O.S. § 6220*.
4. Pursuant to *36 O.S. § 6220(B)*, in addition to any potential denial, censure, suspension, or revocation, any person violating any provision of the Oklahoma Insurance Adjusters Licensing

Act may be subject to a civil penalty of not more than \$1,000.00 for each violation.

5. If Respondent requests a hearing in writing in this matter, pursuant to *OAC 365:1-7-1*, the Insurance Commissioner, pursuant to *36 O.S. § 319*, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

6. The Insurance Commissioner, pursuant to *OAC 365:1-7-5*, upon written request reasonably made by a person affected by the hearing and at such person's expense, shall cause a full stenographic record of the proceedings to be made by a competent court reporter.

### **ALLEGATIONS OF FACT**

7. Respondent submitted an application to the Oklahoma Insurance Department ("OID") for a nonresident adjuster license on or about September 24, 2020. On the application form, one of the questions asked the Respondent, "Have you ever been convicted of a misdemeanor, had a judgement withheld or deferred, or are you currently charged with committing a misdemeanor? The Respondent answered "no" to this question.

8. After conducting a background check, OID Licensing Division ("Licensing") discovered Respondent was convicted of Receiving or Concealing Stolen Property on or about January 20, 2017 in Brown County, Wisconsin.

9. Due to the failure to disclose the misdemeanor conviction, Licensing denied Respondent's application for non-resident producer license on or about December 14, 2020.

10. Pursuant to *36 O.S. §6220(A)(1)*, it is a violation of the Adjuster Licensing Act for an applicant to use a material misrepresentation or fraud in obtaining an adjuster's license.

**ALLEGED CONCLUSIONS OF LAW**

11. Respondent has violated *36 O.S. §6220(A)(1)* by answering “no” when asked on the application for non-resident adjuster license whether she has been convicted of a misdemeanor. Respondent also failed to disclose her misdemeanor conviction.

**ORDER**

**IT IS THEREFORE ORDERED** that Respondent is hereby **CENSURED** and **FINED** Two Hundred Dollars (\$200.00). The fines are to be paid within 30 days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. The fine shall be sent to the Oklahoma Insurance Department located at 400 NE 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105. Failure to comply with a proper order of the Commissioner will result in further administrative action.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent requests a hearing with respect to the Findings of Fact set forth above within 30 days of the date of this Conditional Order, the penalties set forth above will become a Final Order on the 31st day following the date of mailing this Order. A request for hearing should be in writing and addressed to Antuanya “Bo” DeBose, Oklahoma Insurance Department, Legal Division, 400 NE 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or modify the Order and must be served on the Oklahoma Insurance Department within the 30 days allotted. The proceedings on such requested 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 through 324*. If Respondent serves a timely request for hearing on the

Oklahoma Insurance Department, this Conditional Order will act as a 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 shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 25<sup>th</sup> day of January 2021.

GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA



*Antuanya "Bo" DeBose*

Antuanya "Bo" DeBose  
Assistant General Counsel  
Oklahoma Insurance Department  
400 NE 50<sup>th</sup> Street  
Oklahoma City, Oklahoma, 73105  
Tel. (405) 521-2746  
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**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the above and foregoing *Conditional Order* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 25<sup>th</sup> day of January, 2021, to:

Rachel VanPay  
1475 Eliza Street  
Green Bay, Wisconsin, 54301

**CERTIFIED MAIL NO.**

9214 8902 0982 7500 0342 25

and a copy was delivered to:

Licensing Division



Antuanya "Bo" DeBose  
Assistant General Counsel



20-0560-10  
ASD

Date Produced: 02/01/2021

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0342 25. Our records indicate that this item was delivered on 01/30/2021 at 01:09 p.m. in GREEN BAY, WI 54301. The scanned image of the recipient information is provided below.

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JM 118

Address of Recipient : 1475 ELIZA ST  
Green Bay WI 54301

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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:

RACHEL VANPAY  
1475 ELIZA ST  
GREEN BAY WI 54301-3143

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