

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

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
CORNERSTONE FUNERAL HOME AND)
CREMATORY, LLC, a licensed resident)
insurance producer in the State of Oklahoma,)
)
Respondent.)

FILED
FEB 22 2021
INSURANCE COMMISSIONER
OKLAHOMA

CASE NO. 21-0033-DIS

**(AMENDED) 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*, including the Oklahoma Producer Licensing Act, *36 O.S. § 1435.1 et seq.*
2. Respondent Cornerstone Funeral Home and Crematory, LLC (“Respondent”) holding license number 100251248, is licensed by the State of Oklahoma as a resident insurance producer. Respondent’s address of record is 1830 N. York Street, Muskogee, Oklahoma 74403.
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. Pursuant to *36 O.S. § 1435.13(D)*, 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. The penalty may be enforced in the same manner in which civil judgments may be enforced.

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.

FINDINGS OF FACT

7. Respondent's resident producer license expired February 29, 2020. Respondent submitted an application for renewal of their resident producer license to the Oklahoma Insurance Department ("OID") on March 10, 2020, which was rejected by the OID Licensing Division due to an inactive registration with the Oklahoma Secretary of State.

8. Respondent applied for reactivation of its resident producer license on December 29, 2020.

9. On December 29, 2020, the OID's Licensing Division asked Respondent if it has acted as a producer in any way since its resident producer license expired on February 29, 2020. Respondent replied, listing thirty-one (31) policies it issued since February 29, 2020.

10. Pursuant to *36 O.S. 1435.4(A)*, it is a violation of the Oklahoma Producer Licensing Act to sell, solicit, or negotiate insurance in this state for any class or classes of insurance unless the person is licensed for that line of authority in accordance with the Oklahoma Producer Licensing

Act.

11. 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:

i. Violating any insurance laws, or violating any regulation, subpoena or order of the Insurance Commissioner or of another state's Insurance Commissioner.

a. 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

12. Respondent has violated *36 O.S. §1435.4(A)(2)* by conducting insurance business in thirty-one (31) incidents while not being licensed for the appropriate line of authority in accordance with the Oklahoma Producer Licensing Act.

ORDER

IT IS THEREFORE ORDERED that Respondent is hereby **CENSURED** and **FINED** Five Hundred Dollars (\$500.00). The fine shall 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 50th 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 50th 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 22nd day of February 2021.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Antuanya "Bo" DeBose

Antuanya "Bo" DeBose
Assistant General Counsel
Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, Oklahoma, 73105
Tel. (405) 521-2746
Fax (405) 522-0125

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 22nd day of February, 2021, to:

Cornerstone Funeral Home and Crematory, LLC
1830 N. York Street
Muskogee, Oklahoma 74403

CERTIFIED MAIL NO.

9214 8902 0982 7500 0348 74

and a copy was delivered to:

Licensing Division

Antuanya "Bo" DeBose

Antuanya "Bo" DeBose
Assistant General Counsel

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Tracking Number: 9214890209827500034874

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Departed USPS Regional Facility

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February 26, 2021, 11:30 am

Arrived at USPS Regional Facility
TULSA OK DISTRIBUTION CENTER

February 26, 2021, 10:15 am

Accepted at USPS Origin Facility
OKLAHOMA CITY, OK 73105

February 25, 2021, 3:18 pm

Shipment Received, Package Acceptance Pending
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February 25, 2021

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