## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN	SED
MULREADY, Insurance Commissioner,	INSUP. 01 2021
Petitioner, )	INSURANCE COMMISSIONER
vs. )	
)	<b>CASE NO. 21-0207-DIS</b>
JESSICA ROMANS, a renewal applicant )	
for a non-resident insurance adjuster license,	
. )	· · · · ·
Respondent. )	
)	

# 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, Molly K. Clinkscales, and alleges and states as follows:

#### JURISDICTION AND AUTHORITY

- 1. The Insurance Commissioner of the State of Oklahoma, Glen Mulready, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.*, including the Insurance Adjusters Licensing Act, 36 O.S. §§ 6201–6223.
- 2. Jessica Romans ("Respondent") is an applicant for a renewal of her non-resident insurance adjuster license in the State of Oklahoma. Respondent's mailing address of record is PO Box 29105, Shawnee Mission, Kansas 66201.
- 3. The Insurance Commissioner may censure, suspend, revoke, or refuse to issue or renew a license issued pursuant to the Insurance Adjusters Licensing Act and/or may levy a civil fine up to \$1,000.00 for each occurrence of a violation of the Insurance Adjusters Licensing Act pursuant to 36 O.S. § 6220(B).

#### **FINDINGS OF FACTS**

- 4. Respondent submitted an application for the renewal of her non-resident insurance adjuster license on or about March 23, 2021, with the Oklahoma Insurance Department ("OID").
- 5. On the application form, Question 1a asks the following: "Have you been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor, which has not been previously reported to this insurance department?" Respondent answered "no" to this question.
- 6. OID discovered through a background check that Respondent pleaded guilty to the misdemeanor of Assault in the Fourth Degree in Carroll County, Missouri on December 6, 2017, Case No. 17CR-CR00124.
- 7. Pursuant to 36 O.S. § 6220(A)(1), the Insurance Commissioner may place on probation, censure, suspend, revoke, or refuse to issue or renew a license pursuant to the Adjusters Licensing Act for material misrepresentation or fraud in obtaining an adjuster's license.

#### **CONCLUSIONS OF LAW**

8. Respondent violated 36 O.S. § 6220(A)(1) by obtaining or attempting to obtain an adjuster license through material misrepresentation or fraud by failing to report the misdemeanor conviction of Assault in the Fourth Degree in Carroll County, Missouri on December 6, 2017, Case No. 17CR-CR00124 on her March 23, 2021, adjuster license renewal application.

### NOTICE OF RIGHT TO BE HEARD

The Insurance Commissioner may hold hearings over any matter within his jurisdiction at his own motion or by granting the written demand of a person aggrieved by an act of the Insurance Commissioner. OAC 365:1-7-1.

Respondent may request a hearing for this matter in writing pursuant to OAC 365:1-7-1.

The request for hearing must specify the grounds to be relied upon as a basis for to set aside or modify this Conditional Order. If a hearing is requested, the Insurance Commissioner will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing in accordance with 36 O.S. § 319.

A request for hearing shall be in writing and addressed to Molly Clinkscales, Oklahoma Insurance Department, Legal Division, 400 NE 50th Street, Oklahoma City, Oklahoma, 73105. The request shall be served on the Oklahoma Insurance Department within the thirty (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. §§ 250–323. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall 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.

#### **ORDER**

Commissioner, subject to the following paragraph, that Respondent is hereby **FINED ONE-HUNDRED DOLLARS (\$100.00)** for violation of 36 O.S. § 6220(A)(1). The **\$100.00** fine is to be paid within thirty (30) days of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. The \$100.00 civil fine shall be paid by money order or cashier's check. Respondent's renewal application for a non-resident insurance adjuster license may be granted upon receipt of payment of the fine. Failure to pay the civil fine or request a hearing within thirty (30) days of mailing this Order may result in license application being withdrawn.

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 thirty (30) days of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first (31st) day following the mailing of this Order.

WITNESS My Hand and Official Seal this 30 day of August, 2021.



GLEN MULREADY INSURANCE COMMISSIONER STATE OF OKLAHOMA

Molly K. Clinkscales, OBA# 33862

Assistant General Counsel

Oklahoma Insurance Department

400 NE 50th Street

Oklahoma City, Oklahoma 73105

(405) 521-4036

#### **CERTIFICATE OF MAILING**

I, Molly K. Clinkscales, 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 certified mail, with postage prepaid and return receipt requested, on this 157 day of 3201, to:

Jessica Romans PO Box 29105 Shawnee Mission, KS 66201

9214 8902 0982 7500 0397 63

**CERTIFIED MAIL NO.** 

With a copy to:

Brandon Brummett OID Licensing Division

> Molly K. Clinkscales Assistant General Counsel



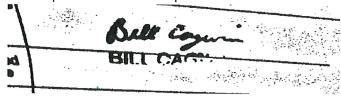


Date Produced: 09/06/2021

#### OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0397 63. Our records indicate that this item was delivered on 09/04/2021 at 06:56 a.m. in MISSION, KS 66201. The scanned image of the recipient information is provided below.

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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:

JESSICA ROMANS PO BOX 29105 SHAWNEE MSN KS 66201-1405

Customer Reference Number:

C2911655.16724796