

**FILED**  
SEP 01 2021  
INSURANCE COMMISSIONER  
OKLAHOMA

**Respondent.** )

### **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**

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the Insurance 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 15<sup>th</sup> day of September 2021, to:


Jessica Romans  
PO Box 29105  
Shawnee Mission, KS  
66201

**CERTIFIED MAIL NO.**

9214 8902 0982 7500 0397 63

With a copy to:

Brandon Brummett  
OID Licensing Division

  
Molly K. Clinkscales  
Assistant General Counsel



21-0207-015  
MKC

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.

Signature of Recipient :

*Bill Cagwin*  
BILL CAGWIN

Address of Recipient :

Farmers

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Sincerely,  
United States Postal Service

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