

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
SEP 09 2021
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN
MULREADY, Insurance Commissioner,

Petitioner,

v.

LYND INSURANCE SERVICES, LLC.,
an applicant for reactivation of a non-resident
business entity insurance producer license in the
State of Oklahoma

Respondent.

CASE NO. 21-0235-DIS

**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 his attorney, Molly K. Clinkscales, and alleges and states as follows:

JURISDICTION

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 Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1 through 1435.41.

2. Lynd Insurance Services, LLC ("Respondent") is an applicant for reactivation of a non-resident business entity insurance producer license in the State of Oklahoma. Its address of record is 4499 Pond Hill Road, San Antonio, Texas 78231.

3. 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 and/or

may levy a civil fine up to \$1,000.00 for each occurrence of a violation of the Oklahoma Producer Licensing Act, 36 O.S. § 1435.13(A) and (D).

FINDINGS OF FACT

1. Oklahoma Insurance Department's records show that Respondent's license became inactive on January 31, 2021.
2. Respondent submitted an application to renew its business entity producer license on April 22, 2021.
3. Respondent failed to maintain an active license while conducting insurance business during the period of January 31, 2021 through May 3 2021. During this time, nineteen (19) insurance policies were sold.
4. Pursuant to 36 O.S. § 1435.7(B), business entity producers must maintain an insurance producer license to sell, solicit, or negotiate insurance in Oklahoma for any class or classes of insurance.

CONCLUSIONS OF LAW

1. Pursuant to 36 O.S. § 1435.7(B), a business entity acting as an insurance producer is required to maintain an insurance producer license.
2. Respondent violated 36 O.S. § 1435.4(A) in failing to maintain an active producer license while conducting an insurance-related business by selling, soliciting, or negotiating nineteen (19) insurance policies, thereby in violation of 36 O.S. § 1435.13(A)(2).

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 the Respondent violated 36 O.S. § 1435.13(A)(2) and as a result **Respondent is FINED** in the amount of **ONE-HUNDRED DOLLARS (\$100.00)**. **The Fine is to be paid within thirty (30) days of receipt of this Order.** The \$100.00 civil fine shall be paid by money order or cashier's check. Respondent's renewal application for a non-resident business entity producer 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 the Respondent requests a hearing with respect to the Findings of Fact and Conclusions of Law set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above will become a Final Order on the thirty-first day following the date of mailing this Order.

WITNESS My Hand and Official Seal this 9 day of September, 2021.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Molly K. Clinkscales, OBA #33862
Assistant General Counsel
400 NE 50th Street
Oklahoma City, OK 73105
Telephone: (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 9th day of September, 2021, to:

Lynd Insurance Services, LLC
4499 Pond Hill Road
San Antonio, TX 78231
alopez@lynd.com

9214 8902 0982 7500 0399 54

CERTIFIED MAIL NO.:

and

a copy was delivered to:

Rowena Ehrman
OID Licensing Division


Molly K. Clinkscales



21-0235-Dis
MKC

Date Produced: 09/20/2021

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0399 54. Our records indicate that this item was delivered on 09/13/2021 at 09:51 a.m. in SAN ANTONIO, TX 78231. The scanned image of the recipient information is provided below.

Signature of Recipient :

Cibson COIG
Diaz

Address of Recipient :

4449
Pond Hill

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:

LYND INSURANCE SERVICES LLC
4499 POND HILL RD
SAN ANTONIO TX 78231-1292

Customer Reference Number: C2925971.16804300