

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

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
CHRISTY LYNN COOK, a renewal applicant)
for a non-resident insurance adjuster license,)
)
Respondent.)
)

CASE NO. 21-0394-DEN

FILED
AUG 19 2021
INSURANCE COMMISSIONER
OKLAHOMA

**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, 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. Christy Lynn Cook (“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 908, Luling, Texas, 78648.

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 May 25, 2021, with the Oklahoma Insurance Department (“OID”).

5. On the application form, Question 2 asks the following:

Have you been named or involved as a party in an administrative proceeding, including a FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration, which has not been previously reported to this insurance department? . . . **“Involved” also means having a license . . . application denied** or the act of withdrawing an application to avoid a denial. . . .

(emphasis added.) Respondent answered “no” to this question.

6. A background check conducted by the OID showed that Respondent was a party to an administrative proceeding whereby Respondent was denied an adjuster license by the State of Florida on or around October 22, 2019, for failing to report on the license application that Respondent entered a plea of guilty to the charge of Leaving the Scene of a Motor Vehicle Accident – Injury, Property Damage or Second Defense, a felony, in Missouri in 2012.

7. After providing Respondent notice and opportunity to respond to the license denial, the State of Florida entered the final disposition of denial into the National Association of Insurance Commissioners (“NAIC”) records on February 5, 2020.

8. Respondent has had an active insurance adjuster license in Oklahoma since October 16, 2017; at the time of the final disposition of the Florida administrative action, Respondent held an active insurance adjuster license in Oklahoma. Respondent did not report the Florida administrative action to OID until on or around June 23, 2021, when she responded to a request for information sent by the OID.

9. 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.

10. On or around June 23, 2021, Respondent notified OID that she pleaded guilty to the misdemeanor of Assault in the Third Degree in Buchanan County, Missouri on July 30, 2008, Case No. 08BU-CR01559. Respondent admitted that she knowingly excluded this information as she believed it to be irrelevant to the Oklahoma license renewal application.

11. 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.

12. Pursuant to 36 O.S. § 6220(A)(8), the Insurance Commissioner may place on probation, censure, suspend, revoke, or refuse to issue or renew a license for a violation of any provision of the Insurance Adjusters Licensing Act.

13. Pursuant to 36 O.S. § 6220(B), in addition to or in lieu of any applicable denial, probation, censure, suspension, any person violating the provisions of the Insurance Adjusters Licensing Act may be subject to a civil fine of not more than One Thousand Dollars (\$1,000.00) for each violation.

14. Pursuant to 36 O.S. § 6222(A), an adjuster must report any administrative action taken against the adjuster in another jurisdiction within thirty (30) day of the final disposition of the matter.

CONCLUSIONS OF LAW

15. Respondent violated 36 O.S. §§ 6220(A)(8) and 6222(A) by failing to report the Florida administrative proceeding denying Respondent’s adjuster license within thirty (30) days of the final disposition of the matter.

16. Respondent violated, on two (2) occasions, 36 O.S. § 6220(A)(1) by failing to report the Florida administrative action of licensure denial and the misdemeanor conviction of Assault in the Third Degree in Buchanan County, Missouri on July 30, 2008, Case No. 08BU-CR01559 on her May 25, 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 FOUR-HUNDRED AND FIFTY DOLLARS (\$450.00)** for violations of 36 O.S. §§ 6220(A)(1), 6220(A)(8), and 6222(A). The **\$450.00 fine is to be paid within thirty (30) days** of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. The \$450.00 civil fine shall be paid by money order or cashier's check. Upon receipt of payment of the fine, the above stated findings of fact and conclusions of law shall not restrict the granting of Respondent's renewal application for a non-resident insurance adjuster license. 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 19th 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 19th day of August, 2021, to:

Christy Lynn Cook
PO Box 908
Luling, TX 78648-0908

9214 8902 0982 7500 0398 88
~~7020 2450 0000 1483 2428~~

CERTIFIED MAIL NO.

With a copy to:

Steve McCaleb
Derryberry & Naifeh, LLP
4800 N. Lincoln Blvd.
Oklahoma City, OK 73105
Steve@derryberrylaw.com
Attorney for Respondent

and

Nicole Godfrey
OID Licensing Division



Molly K. Clinkscales
Assistant General Counsel



210394DIS

Date Produced: 09/06/2021

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0396 88. Our records indicate that this item was delivered on 08/30/2021 at 02:27 p.m. in LULING, TX 78648. The scanned image of the recipient information is provided below.

Signature of Recipient :

Dorothy Cook

Address of Recipient :

PO BOX 908

LULING, TX 78648-0908

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.

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CHRISTY LYNN COOK
PO BOX 908
LULING TX 78648-0908

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