

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

**FILED**

**OCT 13 2021**

**INSURANCE COMMISSIONER  
OKLAHOMA**

STATE OF OKLAHOMA, ex rel. GLEN )  
MULREADY, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
UNIVERSAL CASUALTY RISK RETENTION )  
GROUP, INC., a licensed risk retention )  
group in the State of Oklahoma, )  
 )  
Respondent. )

Case No. 21-0523-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, Teresa L. Green, and alleges and states as follows:

**JURISDICTION**

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, *36 O.S. §§ 101 et seq.*, including the Oklahoma Risk Retention Act, *36 O.S. §§ 6451 et seq.*
2. Universal Casualty Risk Retention Group, Inc. (“Respondent”) is an Oklahoma risk retention group and licensed by the State of Oklahoma as a liability insurance company holding license number 44202943 and NAIC CoCode 16286. Respondent’s address of record is 380 N. Broadway, Suite 400, Jericho, NY 11753. Respondent’s statutory home office address of record is 1833 S. Morgan Rd., Oklahoma City, OK 73128.
3. A risk retention group chartered for domicile in Oklahoma must be licensed as a liability insurance company and must comply with all the applicable laws, rules, regulations, and requirements. *36 O.S. § 6454.*

## FINDINGS OF FACT

4. On or about June 28, 2021, the Oklahoma Insurance Department (“Department”) issued Order Adopting Report of Examination which ordered Respondent to “file within thirty (30) days...affidavits executed by each of its directors stating under oath that each director has received a copy of the adopted Report [of Financial Examination] and the related Order.”

5. On or about June 28, 2021, the Department also ordered the Respondent to, “within thirty (30) days of receiving this Order, [to] provide a written Corrective Action Plan of no more than four (4) pages to the Insurance Commissioner verifying how it plans to address the concerns raised in the Report and this Order.”

6. On or about August 11, 2021, the Department received the Respondent’s affidavits.

7. On or about September 21, 2021, the Department received the Respondent’s corrective action plan.

8. Pursuant to *36 O.S. § 309.4(D)(1)*, the company shall file affidavits executed by each of its directors stating under oath that they have received a copy of the adopted report and related orders within thirty (30) days of the issuance of the adopted report.

9. The Insurance Commissioner may fine any insurer who knowingly and willfully violates the Oklahoma Insurance Code with a civil penalty of not more than \$5,000.00 for each occurrence. *See 36 O.S. § 619(B), 6454 & 6461(A)*.

10. The Insurance Commissioner may refuse to renew, revoke, or suspend an insurer’s certificate of authority and/or may fine any insurer who knowingly fails to comply with any lawful rule or order of the Insurance Commissioner. *See 36 O.S. §§ 619(A)–(B), 6454 & 6461(A)*.

### CONCLUSIONS OF LAW

11. Respondent violated *36 O.S. § 309.4(D)(1)* by not filing affidavits executed by each of its directors stating under oath that they have received a copy of the adopted report and related orders within thirty (30) days of the issuance of the adopted report when the affidavits were received on August 11, 2021 and the order was issued on June 28, 2021.

12. Respondent violated *36 O.S. § 619* by not complying with any lawful rule or order of the Insurance Commissioner when the corrective action plan was received on September 21, 2021 and the order was issued on June 28, 2021.

### ORDER

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner, subject to the following paragraphs, that the Respondent violated *36 O.S. § 619(A)(2)* and as a result is **FINED** in the amount of **ONE THOUSAND DOLLARS (\$1,000.00)**. The Fine is to be paid within thirty (30) days of receipt of this Order.

**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 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 (31<sup>st</sup>) day following the date of mailing this Order. A request for hearing should be in writing addressed to Teresa L. Green, Oklahoma Insurance Department, Legal Division, 400 N.E. 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or modify the Order.

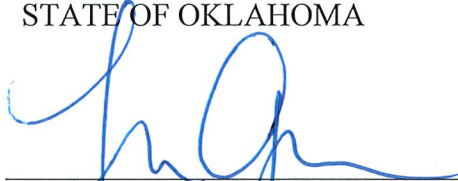
Any such hearing will be conducted according to the procedures for contested cases under the Insurance Code and *75 O.S. § 250-323*. If the Respondent serves a timely request for hearing

on the Oklahoma Insurance Department, this Conditional Order will act as 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 will be considered withdrawn, pending final resolution at the hearing.

**WITNESS** My Hand and Official Seal this 13<sup>th</sup> day of October, 2021.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

  
\_\_\_\_\_  
Teresa L. Green, OBA #32897  
Deputy General Counsel  
Oklahoma Insurance Department  
400 N.E. 50<sup>th</sup> Street  
Oklahoma City, OK 73105  
Telephone: (405) 521-6654  
Facsimile: (405) 522-0125

**CERTIFICATE OF MAILING**

I, Teresa L. Green, hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to be Heard* was sent by certified mail with postage prepaid and return receipt requested on this 13<sup>th</sup> day of October, 2021, to:

Timothy Derham  
Universal Casualty Risk Retention Group, Inc.  
1833 S. Morgan Rd.  
Oklahoma City, OK 73128

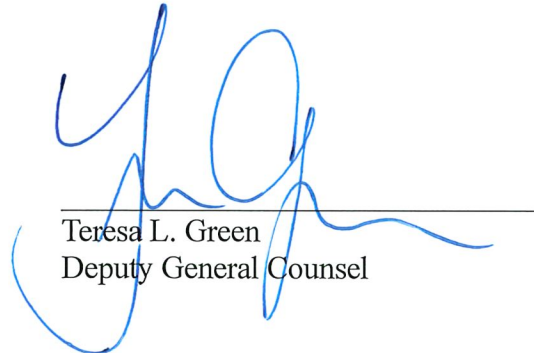
**CERTIFIED MAIL NO. 9214 8902 0982 7500 0413 15**

Timothy Derham  
Universal Casualty Risk Retention Group, Inc.  
380 N. Broadway  
Jericho, NY 11753

**CERTIFIED MAIL NO. 9214 8902 0982 7500 0413 22**

A copy was delivered to:

Financial Division

  
\_\_\_\_\_  
Teresa L. Green  
Deputy General Counsel

Date Produced: 10/18/2021

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0413 15. Our records indicate that this item was delivered on 10/14/2021 at 11:04 a.m. in OKLAHOMA CITY, OK 73128. The scanned image of the recipient information is provided below.

Signature of Recipient :

MOR 84C19  
A. STOWE

Address of Recipient :

1833 S Morgan R  
Agent

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:

TIMOTHY DERHAM  
UNIVERSAL CASUALTY RISK RETENTION GROUP INC  
1833 S MORGAN RD  
OKLAHOMA CITY OK 73128-7004

Customer Reference Number: C2995513.17297998

Return Reference Number sms/21-0523-DIS (TLG)/Cond Ord.



**Return address:**

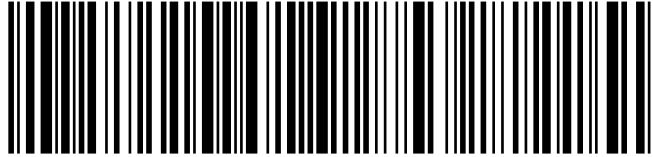
OKLAHOMA INSURANCE DEPARTMENT  
5 CORPORATE PLAZA  
OKLAHOMA CITY, OK 73112

**Recipient address:**

TIMOTHY DERHAM  
UNIVERSAL CASUALTY RISK RETENTION GROUP INC  
1833 S MORGAN RD  
OKLAHOMA CITY OK 73128-7004

MAILING DATE: 10/13/2021  
DELIVERY DATE: 10/14/2021

**USPS CERTIFIED MAIL**



9214 8902 0982 7500 0413 15

**USPS Tracking Label Number: 9214 8902 0982 7500 0413 15**

<b>USPS Tracking History</b>	<b>Location</b>	<b>Date / Time</b>
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PROCESSED THROUGH USPS FACILITY	OKLAHOMA CITY OK DISTRIBUTION C 73107	10/14/2021 04:14
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CASE NUMBER: 21-0523-DIS

DEPARTMENT: LEGAL/TLG

SENDER: SMS

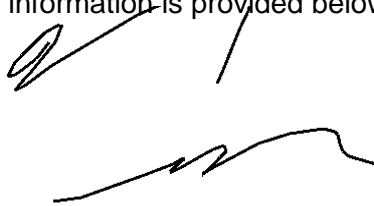
CUSTOM 4: CONDITIONAL ADMINISTRATIVE ORDER & NOTICE OF RIGHT TO BE HEARD

Date Produced: 10/25/2021

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0413 22. Our records indicate that this item was delivered on 10/18/2021 at 08:55 a.m. in JERICHO, NY 11753. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

**380 N BROADWAY STE 400  
JERICHO, NY 11753**

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:

TIMOTHY DERHAM  
UNIVERSAL CASUALTY RISK RETENTION GROUP INC  
380 N BROADWAY  
JERICHO NY 11753-2115

Customer Reference Number: C2995513.17297999

Return Reference Number sms/21-0523-DIS (TLG)/Cond Ord.





**Return address:**

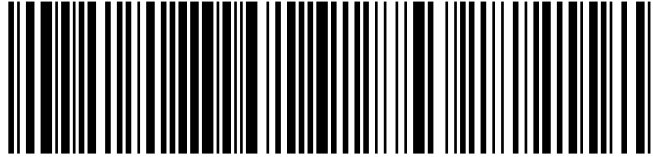
OKLAHOMA INSURANCE DEPARTMENT  
5 CORPORATE PLAZA  
OKLAHOMA CITY, OK 73112

**Recipient address:**

TIMOTHY DERHAM  
UNIVERSAL CASUALTY RISK RETENTION GROUP INC  
380 N BROADWAY  
JERICHO NY 11753-2115

MAILING DATE: 10/13/2021  
DELIVERY DATE: 10/18/2021

**USPS CERTIFIED MAIL**



9214 8902 0982 7500 0413 22

**USPS Tracking Label Number: 9214 8902 0982 7500 0413 22**

<b>USPS Tracking History</b>	<b>Location</b>	<b>Date / Time</b>
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	OKLAHOMA CITY,OK 73105	10/13/2021 15:36
SHIPMENT RECEIVED ACCEPTANCE PENDING	OKLAHOMA CITY,OK 73118	10/13/2021 15:58
ORIGIN ACCEPTANCE	OKLAHOMA CITY,OK 73105	10/13/2021 17:23
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DEPART USPS FACILITY	OKLAHOMA CITY OK DISTRIBUTION C 73107	10/14/2021 07:43
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OUT FOR DELIVERY	JERICHO,NY 11753	10/16/2021 06:34
ATTEMPTED NO ACCESS TO DLVRY LOCATION	HICKSVILLE,NY 11801	10/16/2021 10:27
DELIVERED LEFT WITH INDIVIDUAL	JERICHO,NY 11753	10/18/2021 08:55

CASE NUMBER: 21-0523-DIS

DEPARTMENT: LEGAL/TLG

SENDER: SMS

CUSTOM 4: CONDITIONAL ADMINISTRATIVE ORDER & NOTICE OF RIGHT TO BE HEARD