

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

FILED
JAN 31 2022
INSURANCE COMMISSIONER
OKLAHOMA

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

Petitioner,

v.

**ALEXANDER KIM, an applicant for renewal
of a non-resident insurance producer license,**

Respondent.

CASE NO. 21-0236-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 the Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1 – 1435.41.

2. Alexander Kim (“Respondent”) is an applicant for renewal of a non-resident insurance producer license in the State of Oklahoma. Respondent’s address of record is 24240 Genesee Village Road, Golden, Colorado 80401.

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. On or about November 11, 2019, Respondent initially applied for a non-resident insurance producer license in the State of Oklahoma.

2. On the application form, Question 1b asks the following: "Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with a felony?" Respondent answered "No" to Question 1b on his application.

3. On or about November 11, 2019, the Oklahoma Insurance Department (the "Department") approved Respondent's application and granted a non-resident insurance producer license.

4. On or about March 24, 2021, the Department received notice that Respondent entered into a Voluntary Settlement Agreement with the North Carolina Department of Insurance whereby Respondent was required to pay a \$500.00 fine to the North Carolina Department of Insurance for a failure to report a past criminal conviction on his application for a Medicare Supplement Long-Term Care license in the State of North Carolina.

5. Through the notice of administrative action in North Carolina, the Department discovered that in August 2008, Respondent was convicted of attempted possession for sale of a dangerous drug, MDMA, a Class 3 Felony in *State of Arizona v. Alexander Kim*, Case Number CR2007-008916-003-DT in the Superior Court of Maricopa County, Arizona. Respondent was sentenced to three years' probation, payment of certain fines and fees, and incarceration in the county jail for one month.

6. On or about April 23, 2021, Respondent applied for renewal of his non-resident producer license. On this application, Respondent admitted to the prior felony conviction and the administrative action in North Carolina.

7. Pursuant to 36 O.S. § 1435.13(A)(1), providing incorrect, misleading, incomplete, or materially untrue information in the license application is a violation of the Oklahoma Producer License Act.

8. Pursuant to 36 O.S. § 1435.13(A)(6), having been convicted of a felony is a violation of the Oklahoma Producer License Act.

CONCLUSIONS OF LAW

1. Respondent violated 36 O.S. § 1435.13(A)(1) by failing to disclose his felony conviction in *State of Arizona v. Alexander Kim*, Case Number CR2007-008916-003-DT, on his 2019 application for a non-resident insurance producer license.

2. Respondent violated 36 O.S. § 1435.4(A)(6) by having been convicted of attempted possession for sale of a dangerous drug, MDMA, a Class 3 Felony, in *State of Arizona v. Alexander Kim*, Case Number CR2007-008916-003-DT.

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 Clinkscapes, 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)(1) and (A)(6) and as a result **Respondent is FINED** in the amount of **THREE-HUNDRED DOLLARS (\$300.00)**. **The Fine is to be paid within thirty (30) days of receipt of this Order.** The \$300.00 civil fine shall be paid by money order or cashier's check. Respondent's renewal application for a non-resident 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 28 day of January 2022.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "Molly Clinkscales", is written over a horizontal line.

Molly K. Clinkscales, OBA #33862
Assistant General Counsel
400 NE 40th Street
Oklahoma City, OK 73105
Telephone: (405) 521-4036

CERTIFICATE OF MAILING


I, Molly K. Clinkscases, 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 28th day of January 2022, to:

Alexander Kim
24240 Genesee Village Road
Golden, CO 80401

CERTIFIED MAIL NO:
9214 8902 0982 7500 0438 52

a copy was delivered to:

OID Licensing Division


Molly K. Clinkscases

Tracking Number:

Remove X

9214890209827500043852

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 11:56 am on February 4, 2022 in GOLDEN, CO 80401.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

GOLDEN, CO 80401

February 4, 2022, 11:56 am

See All Tracking History

Feedback

Text & Email Updates



Return Receipt Electronic



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package



Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs