

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

FILED
JUL 19 2022
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN,)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
SOUTHSIDE APPRAISAL SERVICE, INC., an)
applicant for a resident business entity insurance)
adjuster license in the State of Oklahoma,)
)
Respondent.)

CASE NO. 21-0431-DEN

CONSENT ORDER

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, and the Respondent Southside Appraisal Service, Inc. ("Respondent") and stipulate to the following facts and applicable laws. The parties consent to entry of this Consent Order.

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 Insurance Adjusters Licensing Act, 36 O.S. §§ 6201–6223.

2. Respondent is an applicant for a resident business entity insurance adjuster license in the State of Oklahoma. Its mailing address of record is PO Box 890297, Oklahoma City, Oklahoma 73189.

3. A person or entity acting as an insurance adjuster must be licensed as an insurance adjuster and comply with all the applicable laws, rules, regulations. 36 O.S. § 6220.

4. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 36 O.S. §6220.

5. Informal disposition of this matter may be made by consent order pursuant to 75 O.S. § 309(E).

STIPULATIONS OF FACT

1. On or about May 15, 2021, the Oklahoma Insurance Department (the “Department”) received an application submitted by Respondent for its initial resident business entity insurance adjuster license.

2. The Certificate of Incorporation provided by Respondent as required by the license application showed that Southside Appraisal Service, Inc. was originally incorporated on December 21, 1988.

3. The Department sent a letter to Respondent on or about July 1, 2021, requiring Respondent to inform the Department of whether it had acted as an insurance adjuster by investigating, negotiating, adjusting, and/or settling claims in the state of Oklahoma in its name since the date of incorporation and, if so, to provide a list of each occurrence.

4. In response to the Department’s July 1, 2021, letter, Respondent stated that from 1988 through 2021, it conducted business as an insurance adjuster. Respondent confirmed that it worked 6,580 claims under its name in Oklahoma from 2016 through 2021; however, due to “computer makeovers in 2008, 2014, and, most recently, in January of 2021” the majority of the archived files for business conducted were lost and paper files for years up to 2014 were shredded. Accordingly, the total number of claims worked without proper licensing as an insurance adjuster business entity cannot be ascertained.

5. It is unlawful for any company or corporation to act as an insurance adjuster without first obtaining a license. 36 O.S. § 6220(A)(9) and (F).

6. Pursuant to 36 O.S. § 6220(A)(9) and (B), the Insurance Commissioner holds the authority to levy a civil fine against a person for “[a]djusting losses or negotiating claim settlements arising pursuant to provisions of insurance contracts on behalf of an insurer or insured without proper licensing from the Commissioner.”

CONCLUSIONS OF LAW

1. Since its date of incorporation, December 21, 1988, Respondent violated 36 O.S. § 6220(A)(9) and (F) on at least 6,580 occasions by acting as an insurance adjuster without first obtaining proper licensing from the Insurance Commissioner.

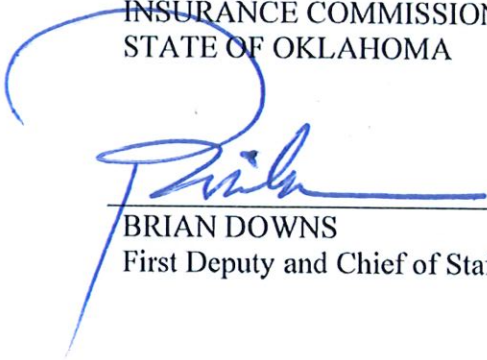
ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner and **CONSENTED** to by the Respondent that Respondent is hereby **fined** in the amount of **TEN THOUSAND DOLLARS (\$10,000.00)** for violation of 36 O.S. § 6220(A)(9) and (F). The fine is to be paid by money order or cashier’s check within thirty (30) days of this order and made payable to the Oklahoma Insurance Department located at 400 NE 50th Street, Oklahoma City, Oklahoma 73105. Upon the Department’s receipt of payment of the fine, the stipulations of fact and conclusions of law addressed herein shall be considered resolved and Respondent’s application for a resident business entity insurance adjuster license may be granted. Failure to comply with a proper Order of the Commissioner may result in the license application being withdrawn and/or further administrative action.

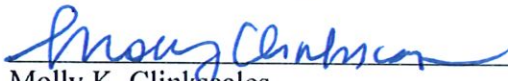
WITNESS My Hand and Official Seal this 18th day of July, 2022.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


BRIAN DOWNS
First Deputy and Chief of Staff

AGREED TO:


Molly K. Clinkscates
Attorney for Petitioner


David Lewellan
Southside Appraisal Service, Inc.

CERTIFICATE OF MAILING

I, Molly K. Clinkscales, hereby certify that a true and correct copy of the above and foregoing *Consent Order* was mailed by certified mail, with postage prepaid and return receipt requested, on this 19th day of July, 2022, to:

Southside Appraisal Service, Inc.
c/o David Lewellan
PO Box 890297
Oklahoma City, OK 73189

CERTIFIED MAIL NO:
9214 8902 0982 7500 0480 55

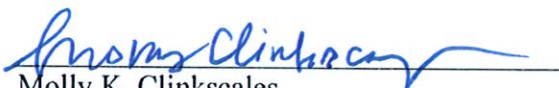
and

Jami Rhoades Antonisse
MILLER JOHNSON JONES ANTONISSE & WHITE, PLLC
500 NW 6th Street, Suite 300
Oklahoma City, OK 73102
jantonisse@mjjaw.com

CERTIFIED MAIL NO:
9214 8902 0982 7500 0480 62

With a copy to:

OID Licensing Division


Molly K. Clinkscales
Assistant General Counsel



21-0431-0271

(Southside Appraisal)

MKE

Date Produced: 07/25/2022

OKLAHOMA INSURANCE DEPARTMENT:

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Signature of Recipient :

Patty Lewellen

Patty Lewellen

Address of Recipient :

PO BOX 890297

OKLAHOMA CITY, OK 73189-0297

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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:

SOUTHSIDE APPRAISAL SERVICE INC
C/O: DAVID LEWELLAN
PO BOX 890297
OKLAHOMA CITY OK 73189-0297

Customer Reference Number: C3560164.21012896



21-0431-0870
Cami Rhoades
Antonisse
MKE

Date Produced: 07/25/2022

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Amy D. Snow
Amy D Snow

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JAMI RHOADES ANTONISSE
MILLER JOHNSON JONES ANTONISSE
& WHITE PLLC
STE 300
500 NW 6TH ST
OKLAHOMA CITY OK 73102-1219

Customer Reference Number: C3560164.21012897