

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
FEB 17 2022
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
v.)
)
MURGLEN EDWARD JAMES, an applicant)
for non-resident insurance adjuster license,)
)
)
Respondent.)

Case No. 22-0029-DEN

FINAL ADMINISTRATIVE ORDER

This matter is a denial proceeding under the Oklahoma Insurance Adjusters Licensing Act, 36 O.S. §§ 6201 – 6223. The Oklahoma Insurance Department (“OID”) notified Respondent Murglen Edward James, (“Respondent”) that his application for non-resident insurance adjuster license was denied for having been previously denied an insurance adjuster license or its equivalent in any other state, province, district, or territory pursuant to 36 O.S. § 6220(A)(14) and for failing to reveal his previous denial for non-resident producer licensure in the State of Colorado pursuant to 36 O.S. § 6220(A)(1). Respondent requested a formal administrative hearing before an independent hearing examiner concerning the matter, which was scheduled for February 9, 2022, at 9:30am.

The hearing was held before the undersigned Hearing Examiner on February 9, 2022. Petitioner appeared by counsel Andrea M. Golden, and Respondent appeared pro se. Witnesses were sworn and testified, exhibits were admitted, and argument(s) of the parties heard.

FINDINGS OF FACT

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and, as

such, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101et seq., including the Oklahoma Insurance Adjusters Licensing Act, 36 O.S. §§ 6201 – 6223.

2. Respondent is an applicant for a non-resident insurance adjuster license in the State of Oklahoma. His address of record is 1720 John West Rd. Apt. 1007 Dallas, TX 75228.

3. Pursuant to 36 O.S. §6220, the Insurance Commissioner may censure, suspend, revoke, or refuse to issue or renew a license after hearing for:

a) Having an insurance adjuster license or its equivalent denied, suspended, censured, placed on probation or revoked in any other state, province, district or territory;

b) Material misrepresentation or fraud in obtaining an adjuster's license;

4. Petitioner afforded Respondent an opportunity for hearing by sending the Notice of Hearing and Order to Show Cause by certified mail return receipt requested on January 27, 2022, and by e-mail to murglen.james.vacczi@statefarm.com and james.ed@energyresolve.com. The Notice of Hearing and Order to Show Cause, filed January 27, 2022, stated the matters asserted, and stated the time, place and nature of the hearing, cited legal authority and jurisdiction, and referred to particular sections of the statutes involved.

5. That the Insurance Commissioner has the authority to render an Order concerning the above styled matter and has lawfully appointed Independent Hearing Examiner, John Miller, who shall sit as a quasi-judicial officer pursuant to 36 O.S. §319.

6. The hearing was recorded electronically by an employee of the Oklahoma Insurance Department. Neither party requested a full stenographic record of the

proceedings.

7. The following exhibit(s) were introduced and admitted:
 - a. Exhibit A: Respondent's Non-Resident Insurance Adjuster Application
 - b. Exhibit B: Respondent's Summary for Regulatory Action
 - c. Exhibit C: The Colorado Division of Insurance's Denial Letter to Respondent
 - d. Exhibit D: The Oklahoma Insurance Department's Denial Letter to Respondent
8. The following witnesses were sworn and testified under oath:
 - a. Courtney E. Khodabakhsh, OID Licensing Division
 - b. Murglen Edward James, Respondent
9. Respondent submitted an application for non-resident insurance adjuster license to OID on or about November 18, 2021. On the application form, one of the questions asked the Respondent, "Have you ever been named or involved as a party in an administrative proceeding...? 'Involved' also means having a license, or registration application denied...". The Respondent answered "No" to this question. (See Exhibit A and Testimony of Courtney E. Khodabakhsh).
10. A subsequent Regulatory Information Retrieval System search proved that the Respondent had failed to provide the information and documentation regarding his application for non-resident insurance producer license denial in Colorado. (See Exhibits B – C and Testimony of Courtney E. Khodabakhsh).
11. On or about December 6, 2022, OID notified Respondent that his application for non-resident insurance adjuster license had been denied pursuant to the provisions of 36 O.S. § 6220 (See Exhibit D and Testimony of Courtney E. Khodabakhsh).

CONCLUSIONS OF LAW

The Department did not abuse its authority and may deny Respondent's application for non-resident insurance adjuster license under 36 O.S. §§ 6220(A)(1) and (A)(14) based on Respondent's previous denial from the State of Colorado and Respondent's failure to disclose said denial on his application for a non-resident insurance adjuster license in the State of Oklahoma.

ORDER

IT IS THEREFORE ORDERED that Respondent Murglen Edward James' application for non-resident insurance adjuster license is DENIED. Respondent is ordered to pay the costs of the proceeding in the amount of one hundred twenty-five dollars (\$125.00).

Dated this 16th day of February 2022.





John Miller
INDEPENDENT HEARING EXAMINER
OKLAHOMA INSURANCE DEPARTMENT

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing Final Administrative Order was mailed by first class U.S. Mail and by certified mail with postage prepaid and return receipt requested on this 17th day of February 2022 to:

Murglen James
1720 John West Rd.
Apt. 1007
Dallas, TX 75228
murglen.james.vacczi@statefarm.com
james.ed@energyresolve.com

CERTIFIED MAIL NO:
9214 8902 0982 7500 0442 79

and a copy was delivered to:

Licensing Division

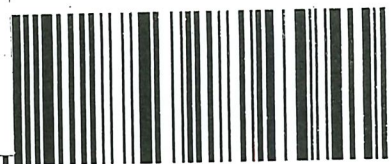


Andrea M. Golden

ahoi
al D
N.E
ahoi

BC: 73105181600 2266N102194-00307
UNABLE TO FORWARD
RETURN TO SENDER
UNCLAIMED
MIXED
131 DE 1
0004/12/22

CERTIFIED MAIL



9214 8902 0982 7500 0442 79

MURGLEN JAMES
APT 1007
1720 JOHN WEST RD
DALLAS TX 75228-5210

NEOPOST FIRST-CLASS MAIL
02/17/2022
US POSTAGE \$008.16⁹
ZIP 73105
041M11455007

lass Mail

LN
2/28/22

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT
APR 13 2022
MAILROOM

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT
APR 13 2022
LEGAL DIVISION