

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

APR 16 2019

**INSURANCE COMMISSIONER
OKLAHOMA**

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

Petitioner,)

vs.)

Case No. 19-0227-DEN

SOUTHERN ABSTRACT AND TITLE CO.,)
renewal applicant for a resident title insurance)
producer license in the State of Oklahoma,)

Respondent.)

**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, Brian C. Chandler, and alleges and states as follows:

JURISDICTION AND AUTHORITY

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma (“Commissioner”) and administers and enforces the Oklahoma Insurance Code, *36 Okla. Stat. Ann. §§ 101 et seq.*, including the Oklahoma Producer Licensing Act, *36 Okla. Stat. Ann. §§ 1435.1, et seq.* The Commissioner is the chief executive officer of the Oklahoma Insurance Department (“Department”). *36 Okla. Stat. Ann. § 301.*

2. The Commissioner has jurisdiction over the subject matter raised in this administrative action and may issue penalties pursuant to *36 Okla. Stat. Ann. § 1435.13.*

3. Respondent Southern Abstract and Title Co. (“Applicant”) is a renewal applicant for a resident title insurance producer license in the State of Oklahoma holding license number 100103823. Applicant’s mailing address of record is P.O. Box 507, Idabel, OK 74345.

4. The Commissioner may censure, suspend, revoke, or refuse to issue or renew a license and/or may levy a civil fine up to One Thousand Dollars (\$1,000.00) for each occurrence of a violation of the Oklahoma Insurance Code pursuant to *36 Okla. Stat. Ann. § 1435.13*.

5. If the Applicant requests a hearing in writing in this matter, the Commissioner will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing. *Okla. Admin. Code 365:1-7-1; 36 Okla. Stat. Ann. § 319*.

6. Upon written request reasonably made by a person affected by the hearing and at such person's expense, the Commissioner shall cause a full stenographic record of the proceedings to be made by a competent court reporter. *Okla. Admin. Code 365:1-7-5*.

PROPOSED FINDINGS OF FACT

7. Applicant's resident title insurance producer license with the Department expired on or about November 30, 2018.

8. Applicant submitted a renewal application on or about March 20, 2019.

9. Applicant provided a list of claims from December 1, 2018 to present wherein Applicant sold, solicited, and/or negotiated fifty-two (52) insurance policies in the State of Oklahoma without proper licensure from the Commissioner.

PROPOSED CONCLUSIONS OF LAW

10. Applicant has violated *36 Okla. Stat. Ann. § 1435.4* by selling, soliciting, and/or negotiating insurance policies in the State of Oklahoma without proper licensure from the Commissioner.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that Applicant is hereby FINED TWO HUNDRED AND FIFTY DOLLARS (\$250.00) for a violation of *36 Okla. Stat. Ann. § 1435.4* by selling, soliciting, and/or negotiating fifty-two (52) insurance policies in the State of Oklahoma without proper licensure by the Commissioner. The fine is to be paid within thirty (30) days of receipt of this conditional administrative order and made payable to the Oklahoma Insurance Department. The application for the renewal of applicant's resident title insurance producer license shall be granted upon receipt of payment of the fine. Failure to pay the civil fine, or request a hearing within thirty (30) days of receipt of this conditional administrative order, will result in Applicant's renewal application being withdrawn.


IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this order is a conditional administrative order. Unless the Applicant requests a hearing with respect to the proposed findings of fact set forth above within thirty (30) days of receipt of this conditional administrative order, this conditional administrative order and the penalties set forth above shall become a final administrative order on the thirty-first (31st) day following receipt of this conditional administrative order by the Applicant. A request for hearing shall be in writing and addressed to Brian C. Chandler, Assistant General Counsel, Oklahoma Insurance Department, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112. The request for hearing shall state the grounds for the request to set aside or modify the conditional administrative order. 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 Okla. Stat. Ann. §§ 101 et seq.*, and the

Oklahoma Administrative Procedures Act, 75 Okla. Stat. Ann. §§ 250 through 324. If the Applicant serves a timely request for hearing on the Oklahoma Insurance Department, this conditional administrative order shall act as a notice of the matters to be reviewed at the hearing and the proposed findings of fact, proposed conclusions of law, and penalties imposed in this conditional administrative order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 11 day of April, 2019.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


Brian C. Chandler OBA#31016
Assistant General Counsel
Oklahoma Insurance Department
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112
(405) 521-2746

CERTIFICATE OF MAILING

I, Brian C. Chandler, 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 via certified mail with return receipt requested and postage pre-paid on this 16th day of April, 2019


to:

Southern Abstract and Title Co.
P.O. Box 507
Idabel, OK 74345

CERTIFIED MAIL NO. 9214 8902 0982 7500 0197 34

and a copy was delivered to:

Lorie Jones, Licensing Administrator
Licensing Division



Brian C. Chandler