

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

NOV 15 2019

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN
MULREADY, Insurance Commissioner,)
)
)
Petitioner,)
)
vs.)
)
UNISOURCE NATIONAL LENDER)
SERVICES, LLC,)
a renewal applicant for a nonresident title)
producer license,)
)
Respondent.)

CASE NO. 19-0594-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 counsel, Sandra G. LaVenue, and alleges and states as follows:

JURISDICTION AND AUTHORITY

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. §§ 101 *et seq.*, including the Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1 through 1435.41.

2. Unisource National Lender Services, LLC ("Respondent") is a renewal applicant for a nonresident title producer license in the State of Oklahoma. Respondent's mailing address of record is 651 Holiday Drive, Foster Plaza 5, Pittsburgh, Pennsylvania 15220.

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 fine up to \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code pursuant to 36 O.S. § 1435.13(A) and (D).

4. If Respondent requests a hearing in writing in this matter, pursuant to OAC 365:1-

7-1, the Insurance Commissioner, pursuant to 36 O.S. § 319, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

5. The Insurance Commissioner, pursuant to OAC 365:1-7-5, upon written request reasonably made by a person affected by the hearing and at such person's expense, shall cause a full stenographic record of the proceedings to be made by a competent court reporter.

FINDINGS OF FACTS

6. Respondent submitted a renewal application of its nonresident title insurance producer license on August 29, 2019, with the Oklahoma Insurance Department ("OID"). On the application form, question 2 asks the following:

Has the business entity or any owner, partner, officer or director of the business entity, or manager or member of a limited liability company, been named or involved as a party in an administrative proceeding including FINRA Sanction or arbitration proceeding regarding any professional or occupational license, or registration, which has not been previously reported to this insurance department.

To which Respondent answered "no".

7. A background check by the OID Licensing Division showed that Respondent was a party to an administrative proceeding regarding its nonresident title insurance agency license in the State of Indiana, which was finalized on May 7, 2018, and was neither reported to OID nor uploaded to the Attachment Warehouse in the Producer Database.

8. Respondent did not report the Indiana administrative action to OID until September 10, 2019.

9. Pursuant to 36 O.S. § 1435.18, a producer shall report any administrative action taken against the producer in another jurisdiction within thirty (30) days of the final disposition of the matter.

10. Pursuant to 36 O.S. § 1435.13(A) and (D), 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 penalty up to \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code.

CONCLUSIONS OF LAW

11. Respondent violated 36 O.S. § 1435.13(A)(1) by providing incorrect, misleading, incomplete or materially untrue information in the license application.

12. Respondent violated 36 O.S. §§ 1435.13(A)(2) and 1435.18 by failing to report an administrative action in another jurisdiction within thirty (30) days of the final disposition.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that Respondent is hereby **CENSURED** and **FINED Five Hundred Dollars (\$500.00)** for a violation of 36 O.S. §§ 1435.13(A)(1) and (2) as well as 1435.18(A). The **\$500.00 fine is to be paid within thirty (30) days** of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. Respondent's application for nonresident title insurance producer license shall be granted upon receipt of payment of the fine and reporting of the administrative action. Failure to pay the civil fine or request a hearing within thirty (30) days will 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 Respondent requests a hearing with respect to the Findings of Fact set forth above within thirty (30) days of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first (31st) day following the mailing of this Order. A request for hearing shall be in writing addressed to Sandra LaVenue, Oklahoma Insurance Department, Legal Division, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112. Additionally, the request for hearing shall state the grounds for the request to set aside or modify the 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 O.S. §§ 101 et seq., and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 through 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, Violations of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing .

WITNESS My Hand and Official Seal this 15th day of November 2019.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Sandra LaVene OBA# 13372
Oklahoma Insurance Department
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112
(405) 521-2746


CERTIFICATE OF MAILING

I, Sandra LaVenue, 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 15th day of November 2019, to:

Unisource National Lender Services, LLC
651 Holiday Drive
Foster Plaza 5
Pittsburgh, PA 15220

CERTIFIED MAIL NO.

and a copy was delivered to:
Karen Wojtek
Courtney Khodabakhsh
Licensing Division



Sandra LaVenue
Senior Counsel