

BEFORE THE INSURANCE COMMISSIONER
STATE OF OKLAHOMA

FILED

JUL 26 2010

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, *ex rel.*)
KIM HOLLAND, Insurance Commissioner,)
)
Petitioner,)

vs.)

Case No. 10-0593-DIS

DANA JO CROUCH, a licensed producer,)
and CROUCH FINANCIAL AND)
INSURANCE SERVICES, LLC, a licensed)
producer agency,)

Respondents.)

CONSENT ORDER

The State of Oklahoma, *ex rel.* Kim Holland, Insurance Commissioner (the "Insurance Commissioner" or "Petitioner"), and Dana Jo Crouch and Crouch Financial And Insurance Services, LLC ("referred to collectively as Crouch") agree to the entry of this Consent Order and jointly state as follows:

JURISDICTION

1. The Insurance Commissioner has jurisdiction over this matter pursuant to Article VI, § 22 of the Oklahoma Constitution and the Oklahoma Producer Licensing Act, 36 O.S. § 1435.1 -1435.40.

2. Dana Jo Crouch is licensed as an insurance producer. Her producer license number is 91880. Crouch Financial & Insurance Services, LLC is a licensed producer agency. Its producer license number is 10010516.

3. Respondents have been apprised of their rights, including the right to a public hearing, and have knowingly and freely waived these rights, and enter into this Consent Order as a voluntary settlement to the issues and questions raised in the above captioned case.

4. Respondents acknowledge that they have the right to an attorney and that they have had the opportunity to consult with an attorney before executing this Consent order.

STIPULATION OF FACTS

1. During the fall and winter of 2009, Crouch requested Specialty Insurance Managers of Oklahoma – a surplus lines broker – to bind coverage for several insureds.

2. Crouch received premium from the insureds and was required to forward or pay it to Specialty Insurance in the amount of approximately \$9,500. Crouch did not forward the premium to Specialty Insurance.

3. Over the course of several weeks, Crouch advised Specialty Insurance that she would forward the premium and pleaded with Specialty Insurance to give her more time to make payments.

4. On several occasions, Crouch advised that she was going to get paid from commissions or other sources and that she would forward these payments to Specialty Insurance. She did not make these payments.

5. On December 18, 2009, Crouch wrote Specialty Insurance a check for \$1,000. This check was declined because of insufficient funds.

6. Thereafter, Crouch pleaded with Specialty Insurance to give

her more time to pay the money before cancelling her contract or sending the insureds notices of cancellation.

7. On January 21, 2010, Crouch wrote Specialty Insurance a check for \$3,800. This check was declined because of insufficient funds.

8. On January 23, 2010, Crouch wrote Specialty Insurance a second check for \$3,800. This check was also declined because of insufficient funds.

9. Crouch's failure to forward or pay premium caused the potential cancellation of insurance policies despite the fact that the insureds had paid the premium. Further, Crouch's failure to properly forward and pay Specialty Insurance caused them financial injury.

10. Crouch finally paid Specialty Insurance the balance due and owing on June 1, 2010 – only after being interviewed by Department investigators.

AGREED CONCLUSIONS OF LAW

1. Respondent Crouch violated 36 O.S. § 1435.13(A)(2) by violating 36 O.S. § 1435.13a. in failing to forward or pay the premium they received from insured's to the insurer within forty-five (45) days of receipt.

2. Respondent Crouch violated 36 O.S. § 1435.13(A)(4) by improperly withholding, misappropriating or converting any monies or properties received in the course of doing insurance business.

3. Respondent Crouch violated 36 O.S. § 1435.13(A)(8) by using fraudulent, coercive, or dishonest practices, or demonstrating incompetence,

untrustworthiness or financial irresponsibility in the conduct of business in this state.

ORDER AND CONSENT

IT IS THEREFORE ORDERED by the Insurance Commissioner and
CONSENTED to by Respondents:

1. Respondent Dana Jo Crouch agrees that she shall surrender her producer license and return the completed surrender form and her producer license with an executed copy of this Consent Order within ten (10) days.

2. Respondent agrees that she is completely barred from engaging in the business of insurance for a period of two years. Thereafter, she may make application for a producer license.

3. Respondent agrees to remove her name as owner and principal of Crouch Financial & Insurance Services, LLC.

4. Respondent agrees Delmo John Crouch shall become sole owner and principal of Crouch Financial & Insurance Services, LLC and shall be the designated responsible licensed producer for the agency.

WITNESS My Hand and Official Seal this __ day of June 2010.



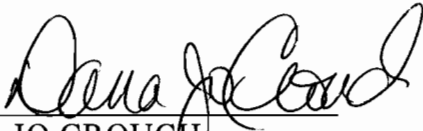
KIM HOLLAND INSURANCE
COMMISSIONER STATE OF
OKLAHOMA


LEAMON FREEMAN
Hearing Examiner

VERIFICATION AND CONSENT

I, Dana Jo Crouch, the Respondent, state:

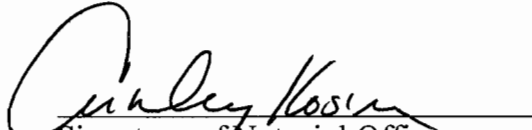
I have read this Consent Order. The contents and facts set forth in the Order are true to the best of my knowledge. I consent to the entry of the Order by the Insurance Commissioner and I waive my right to appeal this Order.



DANA JO CROUCH

STATE OF OKLAHOMA
COUNTY OF Delaware

This Dana Jo Crouch instrument was acknowledged before me on _____ by _____
DANA JO CROUCH



Signature of Notarial Officer



Notary

Title

My commission expires:

12/22/12

APPROVED:



Julie Delluomo
Assistant General Counsel

CERTIFICATE OF SERVICE

On the 26th day of July, 2010, a copy of this Consent Order was sent regular mail, to:

Dana Crouch
Crouch Financial and Insurance Services LLC
PO Box 682
Jay, Oklahoma 74346

Notification was sent to:

All Appointing Insurers

And

RIRS

A copy was delivered to:

Leah Scoles/ Sandra Simms
Producer Licensing Division

and

Rick Wagon/Ed Kirkland
Anti-Fraud Division/Investigations



Julie Delluomo
Assistant General Counsel

Crouch Financial & Insurance Services LLC is solely owned by
Delmo John Crouch.

Delmo John Crouch

A handwritten signature in black ink, appearing to read "Delmo John Crouch", written in a cursive style.

Dana Jo Crouch

Effective 06/30/2010

A handwritten signature in black ink, appearing to read "Dana Jo Crouch", written in a cursive style.