

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

STATE OF OKLAHOMA, ex rel.)
JOHN D. DOAK, Insurance Commissioner,)
)
Petitioner,)
)
vs.)
)
RANDALL D. TURLEY; DERRICK TURLEY)
and R. TURLEY ROOFING, INC.,)
)
)
Respondents.)

Case No. 16-0447-DIS

FILED
JUN 14 2016
INSURANCE COMMISSIONER
OKLAHOMA

EMERGENCY CEASE AND DESIST ORDER

On the 14th day of June, 2016, the Oklahoma Insurance Department ("OID") through Assistant General Counsel Dan R. Byrd presented to the Insurance Commissioner an Application for an Emergency Cease and Desist Order against Randall D. Turley, Derrick Turley and R. Turley Roofing, Inc. (the "Application"). (See Application attached hereto and incorporated by reference to this Order.) The Commissioner, having examined the Application, finds that the Insurance Commissioner has jurisdiction over this matter pursuant to the Oklahoma Constitution Article 6 § 22; the Oklahoma Insurance Code, generally, 36 O.S. §§ 101 *et seq.*; and specifically pursuant to: Article 6 of the Oklahoma Insurance Code (Authorization of Insurers), 36 O.S. §§ 601 *et seq.*; the Oklahoma Insurance Adjuster Licensing Act, 36 O.S. §§ 6201 *et seq.*; and the Unauthorized Insurance Business Act, 36 O.S. §§ 6103.1 *et seq.* The allegations in this matter, among other things, involve conduct regulated by the Oklahoma Insurance Adjusters Licensing Act.

The Commissioner further finds clear and convincing evidence, as described in

the attached Application, to support the following findings and orders:

1. Respondents are acting as insurance adjusters in the State of Oklahoma without proper licensure. Respondents' conduct, as described in the attached Application, is a violation of 36 O.S. § 6220(F).

2. Respondents' actions, as unlicensed public adjusters, constitute "doing an insurance business in this state", in violation of 36 O.S. §§ 6103.2(8) and (9).

3. Pursuant to 36 O.S. § 6103(E) whenever the Commissioner has reason to believe or it appears that any person has violated any provision of Sections 6103.1 through 6103.11 of this title, the Commissioner may, among other things, issue an ex parte cease and desist order under the procedures provided by Sections 6103.5 and 6103.6 of title 36.

4. Respondents' alleged conduct, as described in the attached Application, has created an immediate danger to the public safety or is causing or can be reasonably expected to cause significant, imminent and irreparable public injury.

IT IS THEREFORE ORDERED that Respondents and any agents, affiliates, employees, and/or other representatives, both current and successor, whether named or unnamed herein, shall **CEASE and DESIST** from all activities constituting unauthorized insurance business in this state, including:

1. Directly or indirectly acting as an agent for, or otherwise representing or aiding on behalf of another, any person or insurer in investigation or adjustment of claims or losses.

2. The doing or proposing to do any insurance business in substance equivalent to any of the foregoing in a manner designed to evade the provisions of the

statutes.

IT IS FURTHER ORDERED Respondent shall leave all of its records undisturbed in its offices until such time as an appropriate examination of such records can be completed by representatives of the OID or other examiners appointed by or cooperating with the Commissioner.

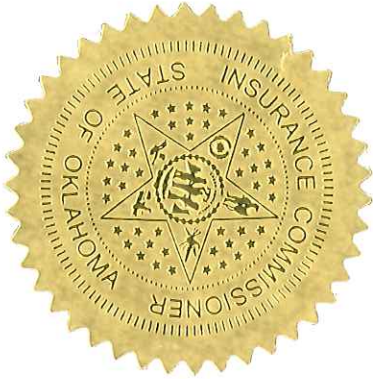
IT IS FURTHER ORDERED that this Order is effective immediately and shall continue in full force and effect until further order of the Commissioner. This Order is binding on Respondent, its agents, affiliates, employees and/or other representatives, both current and successor, whether named or unnamed herein.

Pursuant to 36 O.S. § 6103.6(B), any person affected by this Order and who seeks to contest it, has the right to request a hearing before the Commissioner, or his duly appointed representative, to show cause why this Order should not be affirmed. The person affected must make the request not later than 30 days after the date on which the person receives this Order. The request must be in writing directed to the Commissioner and must state the grounds for the request to set aside or modify the Order. Pending hearing, this Order shall continue in full force and effect unless stayed by the Commissioner. Any such hearing shall be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. §§ 250 et seq.

In the event this Order is violated, the Commissioner may impose a civil penalty of \$25,000.00 for each act of violation; direct the Respondent against whom the Order is issued to make complete restitution, in the form and amount and within the period determined by the Commissioner to all Oklahoma residents, Oklahoma

**insureds and entities operating in Oklahoma damaged by the violation or failure to
comply, or impose both the penalty and direct restitution.**

WITNESS My Hand and Official Seal this 14th day of June, 2016.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

JAMES MILLS
CHIEF OF STAFF

CERTIFICATE OF MAILING

I, Dan R. Byrd, hereby certify that a true and correct copy of the above and foregoing *Emergency Cease and Desist Order* was mailed postage prepaid with return receipt requested on this 14th day of June, 2016 to:

Randall D. Turley
531 W. H St., Suite E
Jenks, OK 74037

CERTIFIED MAIL NO:
7015 3010 0001 4736 7881

Derrick Turley
531 W. H St., Suite E
Jenks, OK 74037

CERTIFIED MAIL NO:
7015 3010 0001 4736 7898

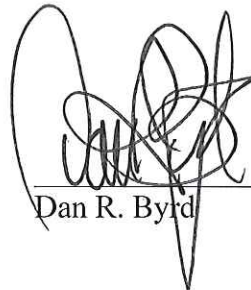
R. Turley Roofing, Inc.
531 W. H St., Suite E
Jenks, OK 74037

CERTIFIED MAIL NO:
7015 3010 0001 4736 7904

and a copy was hand-delivered to:

Courtney Phipps, OID Agents Licensing Division

Rick Wagnon, OID Anti-Fraud Division



Dan R. Byrd