

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

FILED
AUG 11 2016
INSURANCE COMMISSIONER
OKLAHOMA

**STATE OF OKLAHOMA, ex rel. JOHN D.
DOAK, Insurance Commissioner,**

Petitioner,

v.

**LILIA GONZALEZ, a licensed
insurance producer in the State of Oklahoma,**

Respondent.

Case No. 16-0774-DIS

ADMINISTRATIVE ORDER OF SUSPENSION INSTANTER

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, by and through his attorney, Dan R. Byrd, and alleges and states as follows:

JURISDICTION

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and 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. Lilia Gonzalez ("Respondent") is a licensed insurance producer in the State of Oklahoma holding license number 100155823. Respondent's current address is [REDACTED]

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, 36 O.S. § 1435.13(A) and (D).

4. If the Insurance Commissioner finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding to the effect in its order, such action may be ordered pending the outcome of proceedings instituted by the Oklahoma Insurance Department. 75 O.S. §§ 314(C)(2), 314.1; O.A.C. 365:1-7-9(a).

ALLEGATIONS OF FACT

1. On or about July 5, 2016, Farmers Insurance Group (“Farmers”) notified the Oklahoma Insurance Department (“OID”) that, after an internal investigation into Respondent’s business activities, Respondent’s appointment with the company had been terminated for cause on June 29, 2016 after Respondent misappropriated \$6,207 in cash premium payments from 26 insureds. Respondent provided a written confession to Farmers Agent, Carmen Eagles, admitting that she had used customer cash premium payments for her personal use and used cash premium collections to replace the misappropriated premium.

2. On or about July 12, 2016, the OID’s Consumer Assistance Division received a Request for Assistance from a consumer in regards to a complaint that she had filed with Farmers concerning an unauthorized deduction of \$83.20 from her bank account that involved Respondent, her personal agent.

3. On or about August 5, 2016, the OID’s Consumer Assistance Division received a response letter to the above referenced Request for Assistance from Farmers Regulatory Affairs Specialist, Keria J. Broadnax, in which she confirmed that Respondent misappropriated premium payments for a number of Farmer’s insureds while working for Farmers. Ms. Broadnax advised in her letter that Farmer’s had refunded certain premium payments received from the consumer referenced above in regards to a Renters policy that she was provided in error by Farmers. The consumer’s complaint against Farmers has subsequently been resolved.

4. Respondent's prior conduct, as set forth above, shows demonstrable violations of the Oklahoma Producer Licensing Act and, in light of Respondent's own prior admission to improperly withholding, misappropriating, or converting insurance premium payments for her own use in the course of doing insurance business in violation of state law, demonstrates a clear and convincing threat to the public welfare.

ALLEGED VIOLATIONS OF LAW

1. Respondent violated 36 O.S. § 1435.13(A)(4); having admitted to or been found to have committed withholding, misappropriating, or converting insurance premium payments for her own personal use in the course of doing insurance business.

2. Respondent violated 36 O.S. § 1435.13(A)(2); violating any insurance laws, or violating any regulation, subpoena or order of the Insurance Commissioner or of another state's Insurance Commissioner.

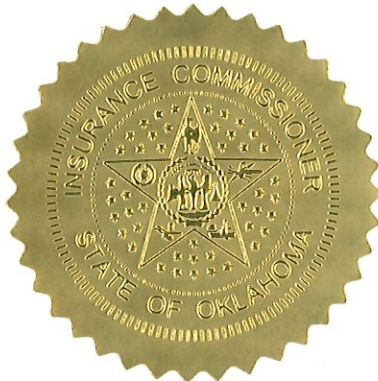
ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner, subject to the following paragraph, that Respondent violated 36 O.S. § 1435.13(A)(2) and (A)(4) and has thereby placed the welfare of the public at risk. In accordance with 75 O.S. § 314(C)(2) and O.A.C. § 365:1-7-9, Respondent's license is **SUSPENDED EFFECTIVE IMMEDIATELY** and that, pursuant to 36 O.S. § 1435.13(D), Respondent is **FINED ONE THOUSAND DOLLARS (\$1,000.00)**.

IT IS FURTHER ORDERED, by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the date

of mailing of this Order. A request for hearing shall be made in writing addressed to Dan R. Byrd, Assistant General Counsel, Oklahoma Insurance Department, 3625 NW 56th Street, Suite 100, Oklahoma City, OK 73112. If the Respondent serves a timely request for a hearing on the Oklahoma Insurance Department, this *Administrative Order of Suspension Instante* shall act as notice of the matters to be reviewed at the hearing. An independent hearing examiner shall conduct the hearing. Respondent may have a court reporter transcribe the proceedings and Respondent shall be responsible for the costs. If Respondent fails to request a hearing within the required period of time, **REVOCATION** of Respondent's resident insurance producer license shall become **FINAL** thirty days (30) days from the date of receipt of this order.

WITNESS My Hand and Official Seal this 10th day of August, 2016.




James A. Mills
Chief of Staff
Oklahoma Insurance Department

CERTIFICATE OF MAILING

I, , hereby certify that a true and correct copy of the above and foregoing *Administrative Order of Suspension Instante* was mailed via certified mail, with postage prepaid and return receipt requested, on this 11th day of August, 2016, to:

Lilia Gonzalez


CERTIFIED MAIL NO: 7016 0910 0000 5833 5435

and that notification was sent to:

NAIC/RIRS

and to all appointing insurers

and that a copy was delivered to:

Courtney Phipps
Licensing Division

Angel Henline
Consumer Assistance Division

Rick Wagnon
Anti-Fraud Unit/Investigations Division



Dan R. Byrd
Assistant General Counsel