

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

FEB 13 2019

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, *ex rel.* GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
)
vs.) CASE NO. 18-0890-DIS
) CASE NO. 19-0001-DIS
JAMES D'ANDRE BEASLEY, a resident insurance)
producer licensed 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 is charged with administering and enforcing 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. Respondent James D'Andre Beasley ("Respondent") is a resident insurance producer licensed in the State of Oklahoma holding license number 100254777. Respondent's mailing address of record with the Department is [REDACTED]
[REDACTED]

3. The Commissioner may censure, suspend, revoke, or refuse to issue or renew a license and/or may levy a civil fine not less than One Hundred Dollars (\$100.00) and 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(D)*.

4. If Respondent 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 requested by Respondent. *Okla. Admin. Code 365:1-7-1; 36 Okla. Stat. Ann. § 319.*

5. The Commissioner, by 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. *Okla. Admin. Code 365:1-7-5.*

PROPOSED FINDINGS OF FACT

6. On or about June 13, 2018, the Department's Consumer Assistance Division received a complaint related to the Respondent.

7. Upon review, Claims Review Specialist, April Adkisson ("Specialist Adkisson"), a claim analyst with the Department's Consumer Assistance Division, sent a correspondence regarding the complaint to the mailing address of record for the Respondent.

8. After the Respondent failed to respond to the Department's June 13, 2018 correspondence, Specialist Adkisson again attempted to contact the Respondent at his mailing address of record on or about July 17, 2018. This correspondence was returned as not deliverable as addressed.

9. On or about July 30, 2018, Specialist Adkisson emailed Respondent regarding the complaint and the prior correspondences at his email address on record with the Department.

10. To date, Respondent has failed to respond to any of the Department's correspondences regarding the complaint, and as of the date of this filing, Respondent has not

provided an updated mailing address to the Commissioner or responded to the Department's inquiries regarding the June 13, 2018 complaint.

11. On or about August 14, 2018, the Oklahoma Insurance Department's Consumer Assistance Division received a second complaint related to Respondent.

12. On September 11, 2018, Claims Review Specialist, Angel Henline ("Specialist Henline"), an analyst with Consumer Assistance Division, sent an inquiry to Respondent's mailing address of record with the Oklahoma Insurance Department.

13. The Department's September 11, 2018 correspondence was returned as not deliverable as addressed. To date, Respondent has failed to update his mailing address of record with the Oklahoma Insurance Department despite numerous mailings. The Respondent has also failed to respond to the Department's inquiries regarding the August 14, 2018 complaint.

PROPOSED CONCLUSIONS OF LAW

14. The Respondent has violated *36 Okla. Stat. Ann. § 1435.13(A)(2)* by failing to maintain a valid mailing address for notice with the Department pursuant to *36 Okla. Stat. Ann. § 1435.8(F)* and by failing to respond to the Department's inquiries within thirty (30) days pursuant to *36 Okla. Stat. Ann. § 1250.4*.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraphs, that Respondent is hereby FINED ONE HUNDRED DOLLARS (\$100.00) for each occurrence of a violation of *36 Okla. Stat. Ann. § 1435.13(A)(2)* for a **TOTAL FINE OF TWO HUNDRED DOLLARS (\$200.00)**. The **\$200.00 fine is to be paid within thirty (30) days** of receipt of this conditional administrative order and made payable to the Oklahoma Insurance Department. Failure to pay the civil fine, or request a

hearing within thirty (30) days of receipt of this conditional order, may result in further administrative action.

IT IS FURTHER ORDRED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that Respondent is hereby ordered to provide a valid mailing address to the Department and respond to each above-referenced complaint against Respondent within thirty (30) days of receipt of this conditional order. Failure to provide a valid mailing address to the Department and respond to each complaint, or request a hearing within thirty (30) days of receipt of this conditional order, may result in further administrative action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a conditional administrative order. Unless Respondent 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 Order and the penalties set forth above shall become a final administrative order on the thirty-first (31st) day following receipt of this Order. A request for hearing shall be in writing and addressed to Brian C. Chandler, Assistant General Counsel, Legal Division, Oklahoma Insurance Department, 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 Okla. Stat. Ann. §§ 101 et seq.*, and the Oklahoma Administrative Procedures Act, *75 Okla. Stat. Ann. §§ 250-323*. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this 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 Order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 12th day of February, 2019.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Brian C. Chandler

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

CERTIFICATE OF MAILING

I 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 15th day of February, 2019, to:

James D'Andre Beasley
[REDACTED]

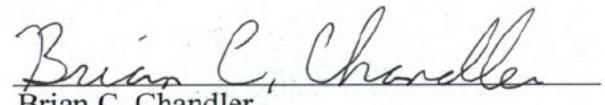
CERTIFIED MAIL NO. 9214 8902 0982 7500 0174 88

James D'Andre Beasley
[REDACTED]

CERTIFIED MAIL NO. 9214 8902 0982 7500 0174 95

A true and correct copy was also delivered to:

April Adkisson, Claims Specialist
Angel Henline, Claims Specialist
Consumer Assistance Division



Brian C. Chandler