

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

JUL 31 2019

**INSURANCE COMMISSIONER
OKLAHOMA**

STATE OF OKLAHOMA, ex rel. GLEN
MULREADY, Insurance Commissioner,

Petitioner,

vs.

ABSTRACT & GUARANTY OF BLAINE
COUNTY, OK, INC.,
a renewal applicant for a resident title
producer license,

Respondent.

CASE NO. 19-0475-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. LaVenu, 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. Abstract & Guaranty of Blaine County, OK, Inc. ("Respondent") is a renewal applicant for a resident title producer license in the State of Oklahoma. Respondent's mailing address of record is P.O. Box 139, Watonga, OK 73772.

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.

ALLEGATIONS OF FACTS

6. Respondent's resident title producer license ("License") in the State of Oklahoma expired on November 30, 2018.

7. Respondent submitted a renewal application on July 15, 2019.

8. On July 17, 2019, the Oklahoma Insurance Department ("OID") Licensing Division requested information regarding sales, solicitation and or negotiation of title insurance after the expiration of Respondent's License on November 30, 2018.

9. On July 18, 2019, Respondent provided a list of all title insurance solicited or sold from November 30, 2018 to July 15, 2019.

10. Pursuant to 36 O.S. § 1435.4, it is unlawful for any person to act as a title producer in the State of Oklahoma without being duly licensed.

11. 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.

ALLEGED CONCLUSIONS OF LAW

12. Respondent has violated 36 O.S. §§ 1435.4 and 1435.13(A)(1) by acting as a title producer in the State of Oklahoma without being duly licensed.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that Respondent is hereby **CENSURED** and **FINED Two Hundred and Fifty Dollars (\$250.00)** for a violation of 36 O.S. §§ 1435.4 and 1435.13(A)(1). The **\$250.00 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 resident title 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.

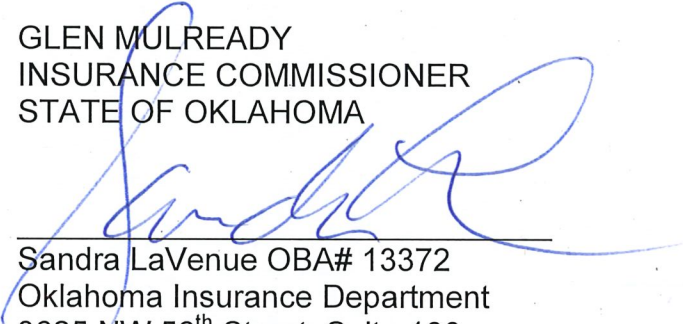
IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of mailing of this Order, this Order and the penalties set forth above 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 Allegations of Fact, Alleged 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 31st day of July 2019.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

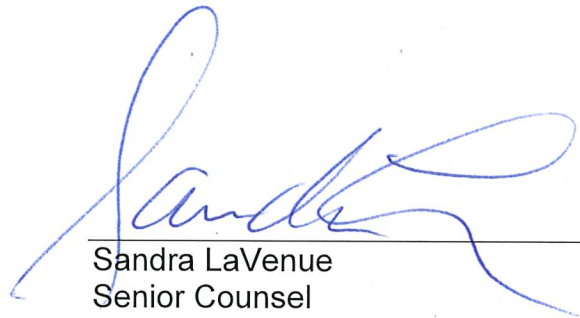

Sandra LaVenue OBA# 13372
Oklahoma Insurance Department
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112
(405) 521-2746

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 emailed by agreement to nriley@pldi.net on this 31st day of July 2019, to:

Abstract & Guaranty of Blaine County, OK, Inc.
P.O. Box 139
Watonga OK 73772
nriley@pldi.net

and a copy was delivered to:
Lori Jones
Licensing Division



Sandra LaVenue
Senior Counsel

Sherry Standerfer

From: Sandra LaVenue
Sent: Wednesday, July 31, 2019 2:31 PM
To: nriley@pdi.net
Cc: Sherry Standerfer
Subject: Oklahoma Insurance Department Conditional Order
Attachments: 20190731142401444.pdf

Mr. Riley,

I've attached a copy of the Conditional Administrative Order in State v. Abstract & Guaranty of Blaine County, OK, Inc. 19-0475-DIS. If you are in agreement with the conditions set forth in the attached Order, please remit payment of \$250.00 by either check or money order to OID. Once the fine payment is received, I will direct the Licensing Division to renew your license. Please either note on the check or attach to the check notice that the check is for the payment of a fine in 19-0475-DIS. If you drop off a check at OID, please inform the individual at the front desk to notify me personally so that I can notify Licensing as soon as possible. Otherwise, it will likely go through the Mail Room which may slow down the process of your renewal.

Should you have additional comments, I can be reached at 405-521-6616.

Regards,

Sandra LaVenue
Senior Counsel
Five Corporate Plaza
3625 NW 56th, Suite 100
Oklahoma City, OK 73112
405-521-2746