

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

AUG 29 2019

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
MARSHALL COUNTY ABSTRACT CO. LLC,)
a renewal applicant for a resident title)
producer license,)
)
Respondent.)

CASE NO. 19-0514-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. Marshall County Abstract Co., LLC ("Respondent") is a renewal applicant for a resident title producer license in the State of Oklahoma. Respondent's mailing address of record is 117 Plaza, P.O. Box 50, Madill, OK 73446.

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 16, 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 16, 2019, Respondent provided a list of all title insurance remitted from November 30, 2018 to July 16, 2019.

10. Pursuant to 36 O.S. § 1435.26(C) 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. §§ 1435.26(C) 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 Seven Hundred and Fifty Dollars (\$750.00)** for a violation of 36 O.S. §§ 1435.26(C) and 1435.13(A)(1). The **\$750.00 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.

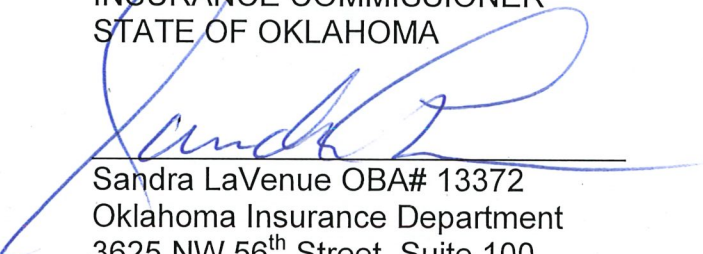
IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of mailing of this Order, this Order and the penalties set forth above 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 29th day of August 2019.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


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

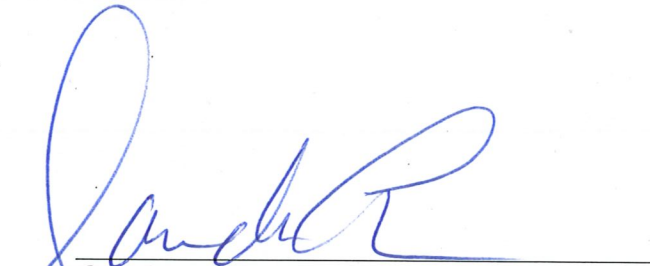
CERTIFICATE OF MAILING

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 mailed by certified mail, with postage prepaid and return receipt requested, on this 29th day of August 2019, to:

Marshall County Abstract Co.
117 Plaza
P.O. Box 50
Madill, OK 73446

CERTIFIED MAIL NO. 9214 8902 0982 7500 0232 50

and a copy was delivered to:
Lori Jones
Licensing Division



Sandra LaVenue
Senior Counsel