BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

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JNSURANCE COMMISSIONER

STATE OF OKLAHOMA, ex rel. GLEN MULREADY, Insurance Commissioner,		OKLAHOMA SSIONE
	Petitioner,	
v.)	Case No. 20-0123-DIS
JIMMY TYLER ESPINOS a resident producer,	A,)	
	<u> </u>	
	Respondent.)	

AGREED ORDER

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, by and through counsel, Antuanya "Bo" DeBose, and Respondent Jimmy Tyler Espinosa and agree to entry of this Order.

JURISDICTION

The parties stipulate to the following:

- 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. §§ 101-7401, including the Oklahoma Producer Licensing Act, 36 O.S. § 1435.1 et seq..
- 2. Respondent Jimmy Tyler Espinosa ("Respondent") holding license number 3000360190, is licensed by the State of Oklahoma as a resident insurance producer as defined and required by 36 O.S. § 1435.2(7). His address of record is
- 3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 36 O.S. § 1435.13(A) and (D).

4. Informal disposition of this matter may be made by agreed settlement pursuant to 75 O.S. §309(E).

FINDINGS OF FACT

- 1. On or about January 23, 2020, the Oklahoma Insurance Department received a complaint alleging that Respondent allowed and instructed an unlicensed employee to engage in the business of insurance. The Oklahoma Insurance Department assigned the case to Investigator Rick Koch of the OID Anti-Fraud Unit for investigation ("Investigation").
- 2. The investigation revealed that Respondent instructed and allowed his employee, Roger Kyle Young ("Young"), to quote insurance premiums, as well as solicit and negotiate insurance without being licensed. Respondent would then have a licensed producer working in his office review the information gathered by Young, then bind the coverage.
- 3. The complainant provided photos and screen shots of "Team Meeting" documents from Respondent's agency reflecting sales numbers for each of Respondent's staff. (See Attached, Exhibit "A"). The documents show that Young wrote \$6,278.00 in business as of December 30, 2019 while unlicensed. Additionally, the documents show Young made \$3,635.21 in 'month to date' insurance quotes as of January 6th, 2019 and sold two (2) polices.
- During an interview on February 11, 2020 conducted by Investigator Koch,
 Respondent admitted he allowed Young to initiate contact with clients and quote premium amounts.
- 5. Pursuant to the provisions of 36 O.S. §1435.13:

- a. 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 or may levy a civil penalty in accordance with subsection D of this section or any combination of actions, for any one or more of the following causes:
 - Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere;
 - Knowingly accepting insurance business from an individual who is not licensed;
- b. In addition to or in lieu of any applicable denial, probation, censure, suspension or revocation of a license, a person may, after opportunity for hearing, be subject to a civil fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each occurrence. Said penalty may be enforced in the same manner in which civil judgments may be enforced.

CONCLUSIONS OF LAW

- 1. Respondent violated 36 O.S. §1435.13(A)(8) by allowing Roger Kyle Young, an unlicensed employee of Respondent's agency, to solicit clients and offer premium quotes.
- 2. Respondent violated 36 O.S. §1435.13(A)(12) by accepting insurance business from Roger Kyle Young, an individual Respondent knew to be unlicensed, and allowing Roger Kyle Young to make sales solicitations to clients and offer premium quotes.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner and AGREED by the Respondent that Respondent is hereby CENSURED and FINED in the amount of

FIVE HONDRED DOLLARS (\$500.00). The fine shall be paid within thirty (30) days from the date of this Agreed Order and made payable to the Oklahoma Insurance Department, located at 400 NE 50th Street, Oklahoma City, Oklahoma 73112. Failure to comply with a proper order of the Commissioner will result in further administrative action.

WITNESS My Hand and Official Seal this 28 day of August 2020.



GLEN MULREADY INSURANCE COMMISSIONER STATE OF OKLAHOMA

JUDGE STEPHAN MATHIS

AGREED TO:

Antuanya 'Bo' DeBose

ASSITANT GENERAL COUNSEL

Tyler Espinesa

RESYONDENT

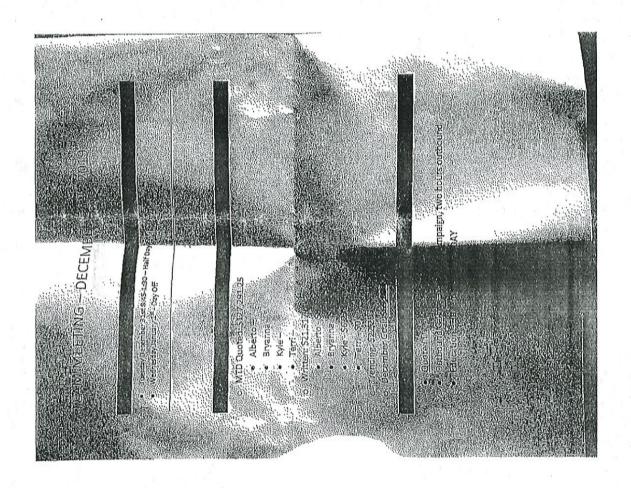
CERTIFICATE OF MAILING

Jimmy Tyler Espinosa

CERTIFIED MAIL NO: 9214 8902 0982 7500 0310 57

and that a copy was delivered to: Licensing Division

Antuanya "Bo" DeBoso



EXHIBIT

TEAM MEETING - JANUARY 6TH, 2019

- Monday January 6th → Tyler Meeting @ 5PM
 Thursday January 9th → Tyler Meeting @ 3PM
- Thursday January 23rd Tyler Meeting @3PM

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 - Alberto --
 - Bryanna —

• Terri Rten(80)

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EXHIBIT A-3

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EXHIBIT A-4