

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

MAY 22 2020

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

INSURANCE COMMISSIONER
OKLAHOMA

Petitioner,

vs.

Case No. 20-0164-DIS

JONATHAN ARNOLD, a licensed resident
insurance producer in the State of Oklahoma,

Respondent.

**AMENDED 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, Kayla M. Rochelle, and alleges and states as follows:

JURISDICTION

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 Unfair Claims Settlement Practices Act, 36 O.S. §§ 1250.1-1250.17.

2. Jonathan Arnold ("Respondent"), is a licensed resident insurance producer, holding license #93474, with an address of record as [REDACTED]

3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 36 O.S. § 1250.4.

4. If Respondent requests a hearing in writing in this matter, as provided in Oklahoma Administrative Code § 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. The ordinary fees and costs of such hearing examiner shall be assessed by the hearing examiner against Respondent, unless Respondent is the prevailing party.

5. Pursuant to Okla. Admin. Code § 365:1-7-5, the Insurance Commissioner, 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 FACT

6. On or about October 29, 2019, the Oklahoma Insurance Department's ("OID") Consumer Assistance Division ("Consumer Assistance Division") received a complaint from John Mitchell. Mr. Mitchell complained that Respondent failed to timely submit paperwork to Harbor Insurance Company ("Harbor") to transfer his auto policy to a new vehicle and change the type of coverage under the policy. As a result, Harbor canceled Mr. Mitchell's policy.

7. Angel Henline, an analyst in the Consumer Assistance Division, sent a letter of inquiry to Respondent on or about October 29, 2019. After receiving no response from Respondent, Ms. Henline sent a second letter of inquiry to him on or about December 2, 2019. Again, after receiving no response from Respondent, Ms. Henline called and left a voicemail on January 6, 2020. To date, Respondent has failed to respond to the inquiry.

ALLEGED VIOLATIONS OF LAW

8. Pursuant to 36 O.S. § 1250.4(B), every agent, insurance company representative, or insurer upon receipt of any inquiry from the Commissioner shall, within twenty (20) days from the date of the inquiry, furnish the Commissioner with an adequate response to the inquiry.

9. Respondent has violated 36 O.S. § 1250.4(B) by failing to furnish an adequate response to an inquiry from the Commissioner within twenty (20) days from the date of the inquiry.

10. Pursuant to 36 O.S. § 1250.4(D), the Insurance Commissioner may issue penalties, including a civil penalty of not less than One Hundred Dollars (\$100.00) nor more than Five Thousand Dollars (\$5,000.00), for any violation by an insurer of § 1250.4 of the Unfair Claims Settlement Practices Act.

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 Dollars (\$200.00)** for violating 36 O.S. § 1250.4(B). The **\$200.00 fine is to be paid within thirty (30) days** of the date of this Amended Conditional Administrative Order and made payable to the Oklahoma Insurance Department.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the Insurance Commissioner, subject to the following paragraph, that Respondent provide a response to the inquiry sent by the Consumer Assistance Division within twenty (20) days of the date of this Amended Conditional Administrative Order.

Respondent is further notified that he may request a hearing **within thirty (30) days of the mailing of this Order**. If Respondent does not request a hearing within **thirty (30) days** of the date mailing of this Order, it shall become a **FINAL ORDER** on the **thirty-first (31st)** day following mailing of this Order. A request for hearing shall be made in writing to Kayla M. Rochelle, Assistant General Counsel, Oklahoma Insurance Department, Legal Division, 400 NE 50th Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds to set aside or modify this Order. Upon such request, a hearing shall be conducted before an independent hearing examiner.

The 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 et seq. If Respondent timely serves a request for hearing, this Amended Conditional Administrative 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 Amended Conditional Administrative Order shall be considered withdrawn, pending final resolution of this matter through hearing.

WITNESS My Hand and Official Seal this 22nd day of May 2020.


GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



s/ Kayla M. Rochelle
Kayla M. Rochelle, OBA #34014
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Amended Conditional Administrative Order was mailed by regular and certified mail, with postage prepaid and return receipt requested, on this 22nd day of May 2020 to:

Jonathan Arnold


CERTIFIED MAIL NO. 9214 8902 0982 7500 0288 73

and a copy was delivered to:

Consumer Assistance Division


Sherry Standerfer