



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.

#### **FINDINGS OF FACT**

6. Pursuant to *36 O.S. §1101(A)*, no person in Oklahoma shall in any manner represent or assist any nonadmitted insurer in the soliciting, procuring, placing, or maintenance of any nonadmitted insurance coverage upon or with relation to any subject of insurance resident, located, or to be performed in Oklahoma without being a surplus lines licensee or broker as defined in the Unauthorized Insurers and Surplus Lines Insurance Act.

7. On or about August 2, 2021, Respondent filed their quarterly SL3a and SL3b-d forms, which are used by surplus lines brokers for quarterly reporting and premium tax remittances. Respondent reported seven (7) policies on these forms, listing Respondent as the broker and Universal Insurance Agency as the agency. Mid-Continent Excess and Surplus Insurance Company with company number 44197909 is listed as the surplus lines carrier.

8. Respondent is not a licensed surplus lines broker in Oklahoma, nor does it have a designated responsible licensed producer who is licensed as a surplus lines broker.

9. Universal Insurance Agency is not licensed as a surplus lines broker in Oklahoma, nor does it have a designated licensed producer who is licensed as surplus lines broker.

10. 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:

i. Violating any insurance laws, or violating any regulation, subpoena or order of the

Insurance Commissioner or of another state's Insurance Commissioner.

- a. 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

11. Respondent has violated *36 O.S. §1435.13(A)(2) and 36 O.S. §1101(A)* by representing Mid Continent Excess and Surplus Insurance Company in the soliciting, procuring, placing, or maintenance of nonadmitted insurance coverage to be performed in Oklahoma without being a surplus lines licensee or broker as defined in the Unauthorized Insurers and Surplus Lines Insurance Act;

#### ORDER

**IT IS THEREFORE ORDERED** that Respondent is hereby **CENSURED** and **FINED** One Thousand Dollars (**\$1,000.00**). The fine shall be paid within 30 days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. The fine shall be sent to the Oklahoma Insurance Department located at 400 NE 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105. Failure to comply with a proper order of the Commissioner will result in further administrative action.

**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 Findings of Fact set forth above within 30 days of the date of this Conditional Order, the penalties set forth above will become a Final Order on the 31st day following the date of mailing this Order. A request for hearing should be in writing and addressed to Antuanya "Bo" DeBose, Oklahoma Insurance Department, Legal Division, 400 NE 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or modify the Order and must be served on the Oklahoma Insurance

Department within the 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 324. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as a notice of the matters to be reviewed at the hearing and the Findings of Fact, Conclusions 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 and day of September 2021.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "A. DeBose".

Antuanya "Bo" DeBose  
Assistant General Counsel  
Oklahoma Insurance Department  
400 NE 50<sup>th</sup> Street  
Oklahoma City, Oklahoma, 73105  
Tel. (405) 521-2746  
Fax (405) 522-0125

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the above and foregoing *Conditional Order* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this and day of September, 2021, to:

First United Bank Insurance Solutions, Inc  
PO Box 218  
Krum, Texas 76249

**CERTIFIED MAIL NO:  
9214 8902 0982 7500 0397 70**

and a copy was delivered to: Licensing Division & Financial Division

A handwritten signature in blue ink, appearing to read "A. DeBose".

Antuanya "Bo" DeBose  
Assistant General Counsel