

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
JUL 27 2022
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
SIGNAL, a non-resident insurance adjuster in)
the State of Oklahoma,)
)
Respondent.)

CASE NO. 22-0184-DIS

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, Andrea M. Golden, 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. §§ 101-7401, and the Oklahoma Insurance Adjusters Licensing act, 36 O. S. §§ 6201-6223.
2. Respondent Signal, ("Respondent") is an applicant for renewal of a non-resident insurance adjuster license in the State of Oklahoma, holding license number 100103033. Respondent's address of record is 260 Interstate North Circle SE, Atlanta, Georgia 30339-2210. Respondent's non-resident insurance adjuster license expired on November 30, 2021.
3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 36 O.S. § 6220.
4. Pursuant to 36 O.S. § 6220(B), in addition to any potential denial, censure, suspension, or

revocation, any person violating any provision of the Oklahoma Insurance Adjusters Licensing Act may be subject to a civil penalty of not more than \$1,000.00 for each violation.

5. 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.

ALLEGATIONS OF FACT

6. On or about October 8, 2021, Respondent timely applied to renew its non-resident insurance adjuster license. On or about October 12, 2021, the application was withdrawn due to Respondent inadvertently submitting an individual producer licensee as the Designated Responsible Licensed Adjuster (DRLA) instead of an individual adjuster licensee.

7. On November 30, 2021, Respondent's non-resident insurance adjuster license expired. On February 7, 2022, Respondent resubmitted its renewal application for non-resident insurance adjuster licensure.

8. On February 23, 2022, the Oklahoma Insurance Department's, ("OID"), Licensing Division requested information from Respondent regarding the adjustment of Oklahoma claims prior to the submission of its February 7, 2022, renewal application.

9. On or about March 7, 2022, Respondent replied to OID's request and self-reported that it had adjusted two thousand nine hundred eight (2,908) claims between November 30, 2021, and February 25, 2022, while unlicensed.

10. Pursuant to *36 O.S. §6220(A)(9)*, it is a violation of the Adjuster Licensing Act for an adjuster to adjust losses or negotiate claim settlements arising pursuant to provisions of insurance contracts on behalf of an insurer or insured without proper licensing from the Commissioner and

authority from the licensed insurer or the insured party;

11. Pursuant to 36 O.S. §6220(F), it is unlawful for any person, firm, association, company or corporation to act as an adjuster without first obtaining a license pursuant to the Insurance Adjusters Licensing Act.

ALLEGED CONCLUSIONS OF LAW

12. Respondent has violated 36 O.S. §6220(A)(9) and 36 O.S. §6220(F), by adjusting two thousand nine hundred eight (2,908) claims between November 30, 2021, and February 25, 2022, without proper licensure from the Oklahoma Insurance Commissioner.

ORDER

IT IS THEREFORE ORDERED that Respondent is hereby **FINED One Thousand Five Hundred Dollars** (\$1,500.00). The 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. The fine shall be sent to the Oklahoma Insurance Department located at 400 NE 50th 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 Amended Order is an Amended Conditional Order. Unless Respondent requests a hearing with respect to the Findings of Fact set forth above within thirty (30) days of the date of this Amended Conditional Order, the penalties set forth above will become a Final Order on the thirty-first (31st) day following the date of mailing this Order. A request for hearing should be in writing and addressed to Andrea M. Golden, Oklahoma Insurance Department, Legal Division, 400 NE 50th 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 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 324. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Amended 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 Amended Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 27th day of July 2022.

GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Andrea M. Golden
Assistant General Counsel
Oklahoma Insurance Department
400 NE 50th 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 *Amended Conditional Administrative Order and Notice of Right to be Heard* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 27th day of July 2022, to:

J. Angela Ables
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Ste. 600
Oklahoma City, Oklahoma 73102
(405) 272-9221
aables@kiralaw.com
Attorney for Respondent

CERTIFIED MAIL NO:
9214 8902 0982 7500 0481 61

and a copy was delivered to:

Licensing Division



Andrea M. Golden
Assistant General Counsel