BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

FILED
JUL 26 2023
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN MULREADY, Insurance Commissioner,	)	
Petitioner,	)	
v.	)	**Case No. 23-0311-DIS**
WILLIAM LEONARD FERRIN, a non-resident producer,	)	
Respondent.	)	

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, Antuanya "Bo" DeBose, 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, including the Oklahoma Producer Licensing Act, 36 O.S. § 1435.1 et seq..

2. William Leonard Ferrin ("Respondent"), holding license number 100301455, is licensed by the State of Oklahoma as a non-resident insurance producer as defined and required by 36 O.S. § 1435.2(7). His address of record is [redacted].

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. Pursuant to 36 O.S. § 1435.13(D), 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. The penalty may be enforced in the same manner in which civil judgments may be enforced.

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.

FINDINGS OF FACT

6. On or about April 25, 2023, the Consumer Assistance Division of the Oklahoma Insurance Department ("OID") received complaint number 115997.

7. On or about April 26, 2023, OID emailed a letter to Respondent regarding the complaint and requested a response within twenty (20) days of receipt. The letter was emailed to [redacted].OID did not receive a response from Respondent.

8. On or about May 16, 2023, OID emailed another letter to the Respondent and a response was requested within twenty (20) days of receipt. The letter was emailed to [redacted]. OID did not receive a response from Respondent.

9. In the process of investigating the claim involved in the complaint, OID discovered Respondent sold an insurance policy while his Oklahoma non-resident producer license had lapsed.

10. As of the date of this Order, Respondent has failed to submit a response to the April 25, 2023 and May 16, 2023 request(s) from OID. A copy of the aforementioned letters are attached as *"Petitioner's Exhibit A"* and *"Petitioner's Exhibit B."*

11. Pursuant to 36 O.S. §1250.4(B), "Any person subject to the jurisdiction of the Commissioner, upon receipt of any inquiry from the Commissioner shall, within twenty (20) calendar days from the date of receipt of the inquiry, furnish the Commissioner with an adequate response to the inquiry. The Commissioner may, upon good cause shown and on a case-by-case basis, extend the time allowed for a response for up to seven (7) additional calendar days. Any inquiry or response subject to this subsection shall be delivered electronically."

12. Pursuant to 36 O.S. 1435.4(A), it is a violation of the Oklahoma Producer Licensing Act to sell, solicit, or negotiate insurance in this state for any class or classes of insurance unless the person is licensed for that line of authority in accordance with the Oklahoma Producer Licensing Act.

13. 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:

a. Violating any insurance laws, or violating any regulation, subpoena or order of the Insurance Commissioner or of another state's Insurance Commissioner;

b. Failing to respond to an inquiry from the Department as required in Section 1250.4 of this title;

CONCLUSIONS OF LAW

14. Respondent has violated 36 O.S. §1435.13(A)(15) and 36 O.S. §1250.4(B) by failing to furnish an adequate response to two (2) inquiry letters from the Commissioner within twenty (20) calendar days from the date of the inquiry.

15. Respondent has violated 36 O.S. §1435.4(A) by selling, soliciting or negotiating insurance in this state while his non-resident producer license was lapsed.

ORDER

IT IS THEREFORE ORDERED that the Respondent is **CENSURED** and **FINED** One Thousand Five Hundred Dollars ($1,500.00). 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 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 Order is a Conditional Order. Unless the Respondent requests a hearing with respect to the Findings of Fact set forth above within thirty (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 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 the 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 26th day of July 2023.

GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Antuanya "Bo" DeBose
Assistant General Counsel
Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, Oklahoma, 73105
Tel. (405) 522-4805
Fax (405) 522-0125
Bo.debose@oid.ok.gov

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 26th day of July, 2023, to:

William Leonard Ferrin
[redacted]

CERTIFIED MAIL NO:
9214 8902 0982 7500 0561 66

and a copy was delivered to:

Licensing & Consumer Assistance Division

Antuanya "Bo" DeBose
Assistant General Counsel

From: Christle Davis <Christle.Davis@oid.ok.gov>
Sent: Wednesday, April 26, 2023 3:54 PM
To: [redacted]
Subject: 115997 - OKLAHOMA INSURANCE DEPARTMENT

Please review, ***acknowledge,*** and respond.

Christle R. Davis
Life & Health Analyst III

OKLAHOMA INSURANCE DEPARTMENT

400 NE 50th Street
OKC, OK 73105
Phone 405-521-2991
Fax 405-521-6652
www.oid.ok.gov

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OKLAHOMA
INSURANCE
DEPARTMENT

Insurance Commissioner, Glen Mulready

400 NE 50th Street
Oklahoma City, OK 73105
405.521.2828
oid.ok.gov

April 26, 2023

WILLIAM FERRIN
[redacted]

RE: Shedrick Jones, COMPLAINANT
OID FILE NUMBER: 115997

Dear WILLIAM FERRIN:

Enclosed you will find a copy of a Request for Assistance we have received from the above inquirer. Please review this correspondence and advise our office of your position. We ask that you use the above file number on all correspondence concerning this inquiry.

Section 1250.4 (B) of the Oklahoma Insurance Code requires that you provide this Department with an adequate written explanation regarding the company's position taken in this matter. Your response must be received by this office no later than twenty (20) calendar days from the date of receipt of this letter.

Thank you in advance for your assistance and your timely response. This department looks forward to working with you in resolving the insurance problems of this consumer.

Sincerely,

Christle Davis

Christle Davis
Life and Health Analyst III
Consumer Assistance/Claims Division
christle.davis@oid.ok.gov
(405)521-2991 Fax:(405)521-6652

Enclosure

Christle Davis

From: Christle Davis
Sent: Tuesday, May 16, 2023 10:54 AM
To: [redacted]
Subject: RE: 115997 - OKLAHOMA INSURANCE DEPARTMENT
Attachments: 80.pdf

To date we have not received your response to this case. This is a violation of insurance law and could impact your agent license. If there is no response from you by 5/19/23, this case will be turned over to our Legal team for review.

Thank you.

Christle R. Davis
Life & Health Analyst III

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OKLAHOMA
INSURANCE
DEPARTMENT

Insurance Commissioner, Glen Mulready

400 NE 50th Street
Oklahoma City, OK 73105
405 521 2828
oid.ok.gov

May 16, 2023

WILLIAM FERRIN
COMBINED INSURANCE COMPANY OF AMERICA

RE: Shedrick Jones
OID FILE NUMBER: 115997

Dear Mr. Ferrin:

This letter is in reference to our recent inquiry regarding the captioned matter, a copy of which is attached for your easy reference.

Our files indicate that we have not received a reply to our inquiry. Please be advised that failure to furnish the Insurance Department with an adequate response to any inquiry within twenty (20) calendar days of receipt of the inquiry constitutes violation of 36 O.S. Section 1250.4.

Please give this matter your immediate attention and forward your reply so this office can evaluate your position and reply to the complainant.

Regards,

Christle Davis

Christle Davis
Consumer Assistance/Claims Division
christle.davis@oid.ok.gov
(405) 521-2991 Fax: (405) 521-6652

Enclosure