FILED
NOV 17 2023
INSURANCE COMMISSIONER
OKLAHOMA

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN MULREADY, Insurance Commissioner, Petitioner, v. BATES INSURANCE AGENCY LLC, an applicant for a renewal resident insurance producer license, Respondent.	)	Case No. 23-0648-DIS

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 his attorney, Teresa L. Green, and alleges and states as follows:

JURISDICTION

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.*, including Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1 *et seq.*

2. Bates Insurance Agency LLC ("Respondent") is an applicant for a renewal resident insurance producer license in the State of Oklahoma, former license number 100198394. Respondent's address of record is 601 West Choctaw, Broken Bow, Oklahoma 74728.

FINDINGS OF FACT

3. Oklahoma Insurance Department's records show that Respondent's license expired on August 31, 2022.

4. Respondent applied to reinstate his producer license on September 26, 2023.

5. Respondent failed to maintain an active license while conducting insurance business during the period of August 31, 2022, through October 1, 2023, during which time Respondent sold three hundred nine (309) insurance policies.

6. Pursuant to 36 O.S. § 1435.4(A), a person shall not sell, solicit, or negotiate insurance in Oklahoma 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.

7. Pursuant to 36 O.S. § 1435.13(A)(1), the Insurance Commissioner may place on probation, censure, suspend, revoke, or refuse to issue or renew a license for violating any insurance laws.

8. 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.

CONCLUSIONS OF LAW

9. Respondent violated 36 O.S. § 1435.4(A) by selling, soliciting, or negotiating insurance in Oklahoma for any class of insurance without a license for that line of authority when Respondent failed to maintain an active producer license and sold three hundred nine (309) insurance policies without a license.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated 36 O.S. §§ 1435.4(A) and as a result Respondent is **FINED** in the amount of Eight Hundred Dollars ($800.00). The Fine is to be paid within thirty (30) days of receipt of this Conditional Order and

made payable to the Oklahoma Insurance Department, Attn: Legal Division. The fine may be paid by check, cashier's check, or money order.

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 mailing of this Order, this Order and 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 addressed to Teresa L. Green, Oklahoma Insurance Department, Legal Division, 400 N.E. 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 received by the Oklahoma Insurance Department within the thirty (30) days allotted.

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 serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall 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 17th day of November, 2023.

GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Teresa L. Green, OBA #32897
Senior Counsel
Oklahoma Insurance Department
3625 NW 56th Street, Suite 100
Oklahoma City, OK 73112
Telephone: (405) 521-2746
Facsimile: (405) 522-0125

CERTIFICATE OF MAILING

I, Teresa L. Green, hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to be Heard* was sent by certified mail, with postage prepaid and return receipt requested, and e-mail on this 17th day of November, 2023, to:

Bates Insurance Agency LLC
601 West Choctaw
Broken Bow, OK 74728

CERTIFIED MAIL NO. 9214 8902 0982 7500 0584 50

hbates@pine-net.com

and

A copy was delivered to:
Licensing Division

Teresa L. Green