BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

FILED
DEC 22 2023
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN MULREADY, Insurance Commissioner;	)	
Petitioner,	)	
vs.	)	
	)	**CASE NO. 23-0695-DIS**
Klarissa Fraire, a resident insurance adjuster in the State of Oklahoma,	)	
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, Julie Reding, 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 Klarissa Fraire ("Respondent") is a resident insurance adjuster holding license number 3000578362. Respondent's 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. § 6220.

4. Pursuant to 36 O.S. § 6220(B), in addition to or in lieu of any applicable denial, censure, suspension, or revocation, any person violating any provision of the Oklahoma Insurance

Adjusters Licensing Act may be subject to a civil fine of not more than One Thousand Dollars ($1,000) 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. Respondent's Oklahoma adjuster license expired on September 30, 2022.

7. On or about October 20, 2023, Respondent submitted an application to reinstate her resident adjuster license.

8. Respondent provided a list acknowledging sixty-six (66) claims adjusted without an active Oklahoma resident adjuster license.

9. Pursuant to 36 O.S. § 6220(A)(9), it is a violation of the Insurance Adjusters 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.

10. 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 fine of not more than One Thousand Dollars ($1,000.00) for each violation.

11. Pursuant to 36 O.S. § 6220(E), 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 violated 36 O.S. § 6220(A)(9) and 36 O.S. § 6220(E) by adjusting sixty-six (66) claims without proper licensure from the Oklahoma Insurance Commissioner.

ORDER

IT IS THEREFORE ORDERED that Respondent is hereby **CENSURED** and **FINED Three Hundred Dollars ($300.00).** The fine is to be paid within thirty (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 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 thirty-first (31st) day following the date of mailing this Order. A request for hearing should be in writing and addressed to Julie Reding, 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 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 22nd day of December 2023.

GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Julie Reding

Julie Reding OBA# 15522
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Oklahoma City, Oklahoma, 73105
Tel. (405) 521-2746
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CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to be Heard* was emailed and mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 22nd day of December 2023 to:

Klarissa Fraire
[redacted]
klarissa.fraire@okfb.com
and a copy was delivered to:

CERTIFIED MAIL NO:
9214 8902 0982 7500 0589 55

Licensing Division

Julie Reding
Assistant General Counsel