

THE
FILED
MAY 16 2024
INSURANCE COMMISSIONER
OKLAHOMA
No. 24-0131 DIS

Case No. 24-0131-DIS

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) & (D) and 36 O.S. § 1435.4

4. Pursuant to 36 O.S. §§ 1435.13(A) & (D), in addition to or in lieu of any applicable denial, probation, censure, suspension, revocation or refusal to issue or renew a license, after an opportunity for hearing, the Insurance Commissioner may levy a civil fine up to One Thousand Dollars (\$1,000.00) for each violation of the Oklahoma Producer Licensing Act.

5. Pursuant to OAC 365:1-1-7-1, if Respondent requests a hearing in this matter, pursuant to 36 O.S. § 319, the Insurance Commissioner will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

6. Pursuant to OAC:365-1-7-5, the Insurance Commissioner 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

7. Oklahoma Insurance Department's records show that Respondent's license expired on or about February 28, 2022.

8. On or about August 23, 2022, Respondent submitted an application to reactivate its nonresident business entity producer license (National Insurance Producer Registry (NIPR) transaction number 699619206).

9. On or about August 30, 2022, the Oklahoma Insurance Department Licensing Department ("OID") sent a reactivation audit question to nerbeck@ifsccompanies.com, the email address on file in the State Based System (SBS) for Respondent (NIPR transaction number 699619206).

10. On or about September 27, 2022, the reactivation application was withdrawn due to no response to OID's reactivation audit question.

11. On or about January 22, 2024, Respondent submitted a reactivation application to reactivate its nonresident business entity producer license (via NIPR, transaction number 744602936).

12. On or about January 23, 2024, OID sent a reactivation question audit to Respondent inquiring if Respondent had sold, solicited or negotiated insurance in the name of Arcadia Settlements Group, Inc. in the state of Oklahoma or to Oklahoma customers since February 28, 2022.

13. Respondent disclosed a spreadsheet with one hundred twenty-eight (128) entries of insurance business but stated none involved Oklahoma customers.

14. On or about February 26, 2024, Respondent disclosed an amended spreadsheet acknowledging that Respondent had engaged in fifty-two (52) insurance transactions in the State of Oklahoma with an expired or inactive license.

15. Respondent failed to maintain an active license while conducting insurance business during the period of February 28, 2022 through February 23, 2024, during which time Respondent sold, solicited or negotiated approximately fifty-two (52) insurance policies.

CONCLUSIONS OF LAW

16. 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, solicited or negotiated approximately fifty-two (52) insurance policies without a license.

17. Pursuant to 36 O.S. § 1435.13(A)(2), any person violating any insurance laws, or violating any regulation, subpoena or order of the Insurance Commissioner or of any other

state's Insurance Commissioner may be subject to a civil fine up to One Thousand Dollars (\$1,000.00) per occurrence.

ORDER

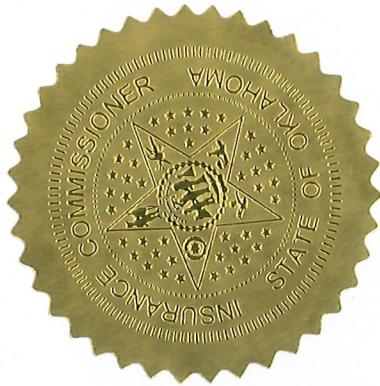
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated 36 O.S. §§ 1435.4(A) and 1435.13(A)(2) and as a result Respondent is **FINED** in the amount of **THREE HUNDRED DOLLARS (\$300.00)**. The Fine is to be paid within thirty (30) days of receipt of this 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 Julie Reding, 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 within the thirty (30) days allotted.

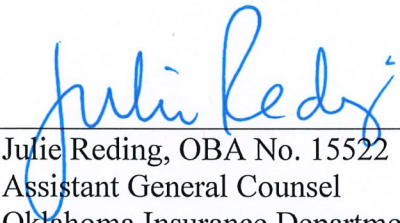
The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.*, and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250–324. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as 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 will be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 16th day of May, 2024.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


Julie Reding, OBA No. 15522
Assistant General Counsel
Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, OK 73105
Telephone: (405) 521-2746
Facsimile: (405) 522-0125

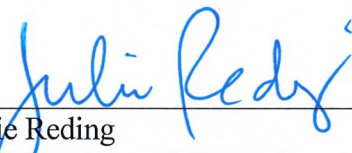
CERTIFICATE OF MAILING

I, Julie Reding, 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 email and certified mail with postage prepaid and return receipt requested on this 16th day of May, 2024 to:

Arcadia Settlements Group, Inc.
5299 DTC Blvd, Ste. 330
Greenwood Village, CO 80111-3323
nerbeck@structures.com

CERTIFIED MAIL NO.
9214 8902 0982 7500 0629 21

And a copy was delivered to:
Licensing Division



Julie Reding
Assistant General Counsel