

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

FILED

APR 23 2024

**INSURANCE COMMISSIONER
OKLAHOMA**

STATE OF OKLAHOMA, ex rel.)
GLEN MULREADY, Insurance Commissioner,)
)
 Petitioner,)
v.)
)
LILY LENGACHER,)
a licensed nonresident producer,)
)
)
)
 Respondent.)

Case No. 24-0161-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, Julie Reding, 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. §§ 101–7402, including the Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1–1435.41.

2. Lily Lengacher (“Respondent”) is a nonresident producer licensed in the State of Oklahoma holding license number 3002161640. Respondent’s mailing 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. §§ 1435.8(F) and 1435.13(A) and (D).

4. Pursuant to 36 O.S. § 1435.8(F), a change of a legal name, address or email address submitted more than thirty (30) days after the change must include an administrative fee of Fifty Dollars (\$50.00).

5. 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, the Insurance Commissioner may levy a fine up to \$1,000.00 for each violation of the Oklahoma Producer Licensing Act.

6. 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.

7. The Insurance Commissioner, pursuant to OAC 365:1-7-5, 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

8. On or about February 26, 2024, the Oklahoma Insurance Department Licensing Division (OID) received a Name Change Request dated February 2, 2024 from Respondent to change Respondent's name from Lily Schenkel to Lily Lengacher with an accompanying copy of Respondent's certified marriage license.

9. The date on the marriage license was October 28, 2023.

10. Pursuant to 36 O.S. § 1435.8(F), a change of a legal name, address or email address submitted more than thirty (30) days after the change must include an administrative fee of Fifty Dollars (\$50.00).

11. Accompanying the Name Change Request and marriage license copy was a check, dated February 13, 2024, made payable to the Oklahoma Insurance Department for fifty dollars (\$50.00) from The Medical Protective Company with an address of 5814 Reed Road, Fort Wayne, Indiana, 46835 (check number 0000976610).

12. Respondent's business address on file in the National Association of Insurance Commissioners (NAIC) State Based Systems (SBS) database is 5814 Reed Road, Fort Wayne, Indiana, 46835.

13. On March 1, 2024, the OID received a charge back (charge back number 146598) from the Oklahoma State Treasurer indicating check number 976610 did not clear as a "Stop Payment" had been placed on the check after it had been issued.

14. As of the date of this Conditional Order, Respondent's name change violation fine has not been satisfied.

15. Pursuant to 36 O.S. § 1435.8(F), a change of a legal name, address or email address submitted more than thirty (30) days after the change must include an administrative fee of Fifty Dollars (\$50.00).

16. Pursuant to 36 O.S. § 1435.13 (A)(2) and (D):

- 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:
 - 2. Violating any insurance laws, or regulation, subpoena or order of the Insurance Commissioner or of another state's Insurance Commissioner;
 - ...
- 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 subjected to a civil fine of not more than One Thousand Dollars (\$1,000.00) for each occurrence. The said penalty may be enforced in the same manner in which civil judgements may be enforced.

CONCLUSIONS OF LAW

26. Respondent violated 36 O.S. §§ 1435.8(F) and 1435.13(A)(2) & (D) by failing to submit a valid payment of fifty dollars (\$50.00) for a change of legal name submitted more than thirty (30) days after the name change.

ORDER

IT IS THEREFORE ORDERED, that Respondent shall is hereby **CENSURED** and **FINED ONE HUNDRED FIFTY DOLLARS (\$150.00)**. The fine shall be paid within thirty (30) days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department in the form of a cashier's check or money order. 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 mailing of this 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 addressed to Julie Reding, Oklahoma Insurance Department, Legal Division, 400 NE 50th St. 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 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 shall 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 shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 23rd day of April 2024



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Julie Reding, OBA No. 15522
Assistant General Counsel
400 N.E. 50th St.
Oklahoma City, OK 73105

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 certified mail with postage prepaid and return receipt requested on this 23rd day of April 2024 to:

Lily Lengacher



CERTIFIED MAIL NO.
9214 8902 0982 7500 0621 74

and

that a copy was delivered to:

Licensing Division



Julie Reding
Associate General Counsel