

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

APR 29 2024

STATE OF OKLAHOMA, ex rel.)
GLEN MULREADY, Insurance Commissioner,)
)
Petitioner,)
v.)
)
JOSEPH LEO,)
a non-resident licensed insurance producer,)
)
Respondent.)

INSURANCE COMMISSIONER
OKLAHOMA

Case No. 24-0222-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 counsel, Tyler P. Trammell, 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.* and the Oklahoma Producer Licensing Act, 36. O.S. §§ 1435.1-1435.41.

2. Joseph Leo is a non-resident Oklahoma licensed insurance producer holding license 3002508368 and NPN number 20667073. Respondent's address of record is [REDACTED]
[REDACTED]

3. Pursuant to 36 O.S § 1435.13(A) and (D), 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 and/or may levy a civil fine of not more than One Thousand Dollars (\$1,000.00) for each occurrence of a violation of the Oklahoma Insurance Code.

ALLEGATIONS OF FACT

4. On or about February 28, 2024, the Oklahoma Insurance Department received a Request for Assistance from a complainant regarding a text message sent from or on behalf of the Respondent's office soliciting health insurance.

5. The complainant sent to the OID consumer assistance department screen shots of a text message conversation that occurred between the complainant and the Respondent's administrative assistant "Mia", in which it is evidenced that Respondent's administrative assistant solicited the sale of said health insurance.

6. Pursuant to 36 O.S. § 1435.4(A), a person shall not 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.

7. The complainant contends that the text message received was an unsolicited "cold-text" with no prior authorization for being contacted.

CONCLUSIONS OF LAW

8. Respondent violated 36 O.S. § 1435.4(A) by allowing his administrative assistant to solicit the sale of health insurance while failing to maintain an active producer 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, and in accordance with 36 O.S. §1435.13(A) and (D), **Respondent is hereby FINED** in the amount of **ONE HUNDRED DOLLARS (\$100.00)**.

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 Allegations 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 shall become a Final Order on the thirty-first day following the date of mailing this Order. A request for hearing should be in writing addressed to Tyler P. Trammell, 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.

Any such hearing shall be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. §§ 250-323. If the 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 Allegations of Fact, Alleged Violations 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 29 day of April, 2024



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Tyler P. Trammell

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CERTIFICATE OF MAILING

I, Tyler P. Trammell, 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 30th day of April, 2024 to:

Joseph Leo



CERTIFIED MAIL

9589 0710 5270 0154 8794 50

A handwritten signature in blue ink, reading "Tyler P. Trammell", written over a horizontal line.

Tyler P. Trammell, OBA No. 32885
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