

FILED
MAY 02 2024
INSURANCE COMMISSIONER
OKLAHOMA

Case No. 24-0225-DIS

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:

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 and the Oklahoma Producer Licensing Act, 36. O.S. §§ 1435.1-1435.41.

2. Respondent Joshua Michael Hughes holds an expired resident insurance producer license issued by the State of Oklahoma with a license number of 100223453. 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. §§ 1435.4, 1435.7 and 1435.13(A) and (D).

4. Pursuant to 36 O.S. § 1435.13(A) & (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.

5. Pursuant to OAC 365:1-7-1, if Respondent requests a hearing in writing in this matter, 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.

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. On or about February 29, 2024, Respondent's resident insurance producer license expired.

8. On or about March 13, 2024, Respondent submitted an application to reactivate Respondent's expired resident insurance producer license.

9. On or about March 19, 2024, the Oklahoma Insurance Department Licensing Division (OID) sent an audit letter requiring Respondent to disclose any instances Respondent had sold, solicited or negotiated any class of insurance in the State of Oklahoma since February 29, 2024.

10. On or about March 27, 2024, Respondent replied to the OID's audit letter and disclosed forty-three (43) occurrences of selling, soliciting, or negotiating insurance in the State of Oklahoma between the dates of March 1, 2024 and March 19, 2024.

11. Pursuant to 36 O.S. § 1435.4(A), a person “shall not sell, solicit, or negotiate insurance in the state of 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.”

12. Pursuant to the provisions of 36 O.S. §1435.13:

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 violating any 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

13. Respondent has violated 36 O.S. § 1435.4(A) and 36 O.S. § 1435.13(A)(2) by conducting the business of insurance of quoting, selling, soliciting, or negotiating one hundred and six (106) policies while Respondent’s license was expired.

ORDER

IT IS THEREFORE ORDERED, that Respondent is hereby **CENSURED** and **FINED TWO HUNDRED FIFTY DOLLARS (\$250.00)**. 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. The find 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 2nd day of May 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
Tel: 405-521-2746

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 by certified mail with postage prepaid and return receipt requested on this 2nd day of May 2024 to:

Joshua Hughes
[REDACTED]

Email: [REDACTED]

CERTIFIED MAIL NO.
9214 8902 0982 7500 0624 26

and

that a copy was delivered to:

Licensing Division

Julie Reding
Julie Reding
Assistant General Counsel