

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

NOV 01 2024

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel.)
GLEN MULREADY, Insurance Commissioner,)
)
Petitioner,)
v.)
)
THERESA ANNE SANCHEZ, an applicant)
for a motor service club license and an applicant)
for a renewed producer license,)
)
Respondent.)

Case No. 24-0304-DIS

CONSENT ORDER

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner,
by and through his counsel, 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 and Motor Services Clubs in 36 O.S. §§ 3101-3112.

2. Respondent Theresa Anne Sanchez ("Respondent") is an applicant to renew a resident producer license in the State of Oklahoma, license number 100132184 (transaction number 755872105). Respondent timely submitted her application for renewal on or about May 30, 2024. Respondent's license expired on June 30, 2024. Respondent's mailing address of record is [REDACTED].

3. Respondent is also an applicant for a resident motor service club license (transaction number 751714386) which she applied for on or about April 10, 2024.

4. 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, 1435.13(A) and (D) and 1435.18(B), (C) & (D) and 36 O.S. § 3105(C) & (D).

5. Informal disposition of this matter may be made by consent order pursuant to 75 O.S. § 309(E).

AGREED FINDINGS OF FACT

6. On or about April 10, 2024, Respondent submitted her application for a resident motor service club license (transaction number 751714386).

7. On the application, Respondent answered YES to question 1B, "Have you ever been convicted of a felony, had a judgement withheld or deferred, or are you currently charged with committing a felony?"

8. On or about April 16, 2024, the Oklahoma Insurance Department Licensing Division (OID) sent a letter asking Respondent to submit a written explanation regarding her YES answer to question 1B and to also provide copies of the official documents that stated the charges or allegations and a copy of the official documents demonstrating final resolution or final judgements.

9. On or about April 30, 2024 OID received Respondent's written explanation and court documentation regarding Respondent's criminal prosecution in CF-2015-228. The Respondent stated in her written explanation, "When I filed for the line of "motor club" to be added to my list of authorized lines, I didn't know if I was still supposed to say yes to an old charge. I didn't remember from 2 years ago what I was supposed to do. . . . This charge was from

2015 and I have renewed "all" of my other authorized (sic) lines many times since then and have already disclosed all the info Sorry for answering "yes" in error."

10. During the course of investigating this disclosure, OID analyst reviewed all of Respondent's producer license applications for years subsequent to Respondent's deferred felony prosecution in CF-2015-228, specifically in years 2016 (transaction number 481401861), 2018 (transaction number 592104936), 2020 (transaction number 629214996) and 2022 (transaction number 694116590), and discovered that the Respondent answered NO to question 1B, "Have you ever been convicted of a felony, had a judgement withheld or deferred, or are you currently charged with committing a felony" on every application and never disclosed Respondent's criminal prosecution nor reported Respondent's initial pre-trial hearing date in case CF-2015-228.

11. In the materials provided by Respondent, it was revealed that on October 9, 2015, Respondent was charged with Manslaughter –First Degree- 21 O.S. § 711, a felony, in response to a motor vehicle accident which occurred on September 1, 2014.

12. The materials provided by Respondent indicate that on or about April 14, 2021, the Court deferred pronouncement of Respondent's judgement until April 7, 2028.

13. 36 O.S. § 1435.18 (B) provides that within thirty (30) days of the initial pretrial hearing date, a person licensed as a producer shall report to the Insurance Commissioner any criminal prosecution of that person taken in any jurisdiction and include a copy of the initial complaint filed, the order resulting from the hearing and other relevant documents.

14. The OSCN docket on case CF-2015-228 for Logan County, Oklahoma indicates that the initial pre-trial date was scheduled on December 17, 2015 but it was rescheduled and continued to January 28, 2016, and then to March 24, 2016, and then to May 26, 2016, and then to July 28, 2016 and ultimately was held on November 29, 2016.

15. OID records show that Respondent never reported to the Insurance Commissioner any criminal prosecution within thirty (30) days of the initial pretrial hearing date on December 17, 2015 or November 29, 2016 or any of the dates in between regarding CF-2015-228. Respondent never included a copy of the initial complaint filed, the order resulting from the hearing and any other relevant legal documents regarding Respondent's prosecution in CF-2015-228. This information was only disclosed to OID on or about April 30, 2024, after requested by OID.

16. Pursuant to 36 O.S. § 1435.18 (B) & (C), failure to provide a report to the Insurance Commissioner of the initial complaint filed, the order resulting from the hearing and any other relevant legal documents within thirty (30) days of the initial pretrial hearing date, shall result in immediate suspension of an application for, a license of or renewal of a producer license.

17. Pursuant to the provisions of 36 O.S. § 3105:

C. Upon notice and hearing, the Commissioner may suspend, censure, revoke or refuse to renew any license of a producer if he finds as to the licensee that any one or more of the following causes exists: ...; (2) Obtaining or attempting to obtain any such license through misrepresentation or fraud; . . .; (5) pleading nolo contendere or guilty to a felony or conviction by final judgement of a felony; . . .; (7) fraudulent or dishonest practices;

...

D. In addition to the penalties provided, . . ., a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each occurrence may be levied

18. 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: 1. Providing incorrect, misleading, incomplete or materially untrue information in the license application; . . . 3. Obtaining or attempting to obtain a license through misrepresentation or fraud;

...

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

19. Respondent violated: 36 O.S. § 1435.13(A)(1) & (3), by providing incorrect, misleading, or materially untrue information in obtaining a producer's license by answering "No" to question 1B on Respondent's renewal applications in 2016, 2018, 2020 and 2022 when Respondent should have answered "Yes" on Respondent's 2016 or a subsequent application by providing incorrect, misleading or materially untrue information in Respondent's license applications, which resulted in obtaining a license through misrepresentation or fraud.

20. Respondent violated 36 O.S. § 1435.18 by failing to report to the Insurance Commissioner within thirty (30) days of the initial pretrial hearing date any criminal prosecution of that person in CF-2015-228 and failing to include a copy of the initial complaint filed, the order resulting from the hearing and any other relevant legal documents.

21. Respondent violated 36 O.S. §§ 3105(C)(2), (5) & (7) by misrepresenting information in Respondent's motor license application (explanation), when Respondent stated "This charge was from 2015 and I have renewed "all" of my other authorized (sic) lines many times since then and have already disclosed all the info. . . ." when in fact Respondent had not previously disclosed her deferred criminal felony prosecution in CF-2015-228 on any of her producer license applications, while obtaining or attempting to a motor services producer license, by pleading nolo contendere to a felony and by demonstrating dishonest or fraudulent practices.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner and **CONSENTED** to by the Respondent that Respondent is hereby **FINED** in the amount of **One**

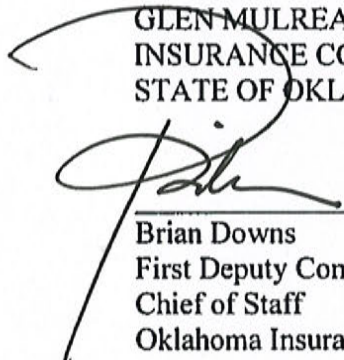
Thousand Dollars (\$1,000.00) for violation of 36 O.S. §§ 1435.13(A) & (D), 36 O.S. §§ 1435.18(B), (C), (D) and 36 O.S. §§ 3105 (C) & (D). The fine is to be paid within thirty days.

IT IS FURTHER ORDERED by the Insurance Commissioner and **CONSENTED** to by the Respondent that Respondent's applications for producer license and motor services club license are hereby approved but said licenses are immediately **suspended for One Hundred Eighty (180) days** to commence retroactively on June 1, 2024.


WITNESS My Hand and Official Seal this 25th day of October 2024.

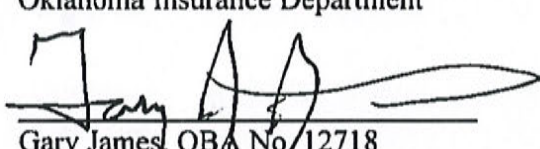


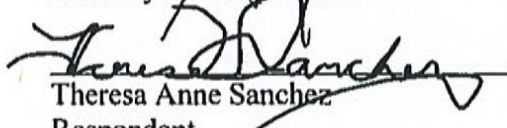
GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


Brian Downs
First Deputy Commissioner and
Chief of Staff
Oklahoma Insurance Department

AGREED:


Julie Reding, OBA No. 15522
Assistant General Counsel
Oklahoma Insurance Department


Gary James, OBA No. 12718
Attorney for Respondent


Theresa Anne Sanchez
Respondent

CERTIFICATE OF MAILING

I, Julie Reding, hereby certify that a true and correct copy of the above and foregoing *Consent Order* was sent by email and by certified mail with postage prepaid and return receipt requested on this 1st day of November 2024 to:

Gary James
PO Box 2443
Oklahoma City, OK 73101
gary@garyjameslaw.com

CERTIFIED MAIL NO.
9214 8902 0982 7500 0665 16

Theresa Anne Sanchez


CERTIFIED MAIL NO.
9214 8902 0982 7500 0665 23

and

that a copy was delivered to:

Licensing Division


Julie Reding