

FILED

DEC 03 2024

INSURANCE COMMISSIONER  
OKLAHOMA

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN  
MULREADY, Insurance Commissioner,

Petitioner,

v.

ACCREDITED SURETY AND CASUALTY CO.,  
a foreign insurance company,

Respondent.

Case No. 24-0339-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, Antuanyia “Bo” DeBose, and alleges and states as follows:

**JURISDICTION**

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and, as such, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101-7401, including the Unfair Claims Settlement Practices Act, 36 O.S. §1250.1 et seq..
2. Accredited Surety and Casualty Co. (“Respondent”), is an insurance company, holding NAIC Cocode 26379, authorized to write property and casualty insurance in the State of Oklahoma. Respondent’s address of record is PO Box 140855, Orlando, Florida 32814-0855.
3. If the Respondent requests a hearing in writing 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.

**FINDINGS OF FACT**

1. On or about April 17, 2024, the Oklahoma Insurance Department’s Consumer Assistance Division (“OID”) received a complaint from the Gonzales Mexican Restaurant IV (“Complainant”) stating the Respondent failed to resolve their claim. The OID file number for this complaint is 121644.

2. The OID emailed a letter to the Respondent and requested a response within twenty (20) days of receipt.
3. On or about April 24, 2024, the Respondent replied to OID. In the response, the Respondent stated the Complainant filed a claim on or about October 9, 2023.
4. On or about November 2, 2023, the Respondent requested an estimate of damages be made on the Complainant's property. On November 6, 2023, the Respondent received the estimate for damages related to the Complainant's property.
5. As of April 17, 2024, the Respondent has not completed its investigation of the claim, nor has the Respondent accepted or denied the claim. Approximately one hundred ninety-one (191) days have passed since the Respondent was initially notified of the claim.
6. Pursuant to 36 O.S. § 1250.7(A), within sixty (60) days after receipt by a property and casualty insurer of properly executed proofs of loss, the first party claimant shall be advised of the acceptance or denial of the claim by the insurer, or if further investigation is necessary.
7. Pursuant to 36 O.S. § 1250.7(C), every property and casualty insurer shall complete investigation of a claim within sixty (60) days after notification of proof of loss unless such investigation cannot reasonably be completed within such time. If such investigation cannot be completed, or if a property and casualty insurer needs more time to determine whether a claim should be accepted or denied, it shall so notify the claimant within sixty (60) days after receipt of the proofs of loss, giving reasons why more time is needed. If the investigation remains incomplete, a property and casualty insurer shall, within sixty (60) days from the date of the initial notification, send to such claimant a letter setting forth the reasons additional time is needed for investigation. Except for an investigation of possible fraud or arson which is supported by specific information giving a reasonable basis for the investigation, the time for investigation shall not exceed one hundred twenty (120) days after receipt of proof of loss . . .”
8. Pursuant to 36 O.S. §1250.5, not attempting in good faith to effectuate prompt, fair and equitable settlement of claims submitted in which liability has become reasonably clear is considered an unfair claim settlement practice.



9. Pursuant to 36 O.S. §1250.14, “For any violation of the Unfair Claims Settlement Practices Act, the Insurance Commissioner may, after notice and hearing, subject an insurer to a civil penalty of not less than One Hundred Dollars (\$100.00) nor more than Five Thousand Dollars (\$5,000.00) for each occurrence...”

#### **CONCLUSIONS OF LAW**

10. Respondent has violated 36 O.S. §1250.7(C), 36 O.S. §1250.7(A) and 36 O.S. §1250.5(4) by failing to complete the investigation of the Complainant’s claim within sixty (60) days and failing to send a letter to the Complainant setting forth the reasons additional time is needed for investigation.

#### **ORDER**

**IT IS THEREFORE ORDERED** by the Insurance Commissioner that the Respondent is **FINED** in the amount of **Seven Hundred Fifty Dollars (\$750.00)**. The fine shall be submitted to the Oklahoma Insurance Department within thirty (30) days of the date of this Conditional Administrative Order and shall be made payable to the Oklahoma Insurance Department. The fine may be paid by check sent to the Oklahoma Insurance Department located at 400 NE 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105, or online through the Department’s website on the Legal Division’s homepage at <https://www.oid.ok.gov/about-oid/divisions-programs/legal-division/> by navigating to the “Pay Fees and Fines Online” tab under the “Legal Division” menu along the left-hand side of the page. An online Payment will include a nonrefundable processing fee of One Dollar (\$1.00). Should you experience difficulty completing your online payment, please, contact the Legal Division at (405) 521-2746 for assistance. 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 this Conditional Order, the penalties set forth above will become a Final Order on the 31st day following the date of mailing this Order. A request for hearing should be in writing and addressed to Antuanyia “Bo” DeBose, Oklahoma Insurance

Department, Legal Division, 400 NE 50<sup>th</sup> Street, 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 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 through 324. If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as a 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 3rd day of December 2024:



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

AS DeBose

Antuanya "Bo" DeBose, #32765  
Assistant General Counsel  
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#### CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Conditional Order* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 3rd day of December 2024, to:

Accredited Surety and Casualty Co.  
PO Box 140855  
Orlando, FL 32814-0855  
[complaints@accredited-inc.com](mailto:complaints@accredited-inc.com)

CERTIFIED MAIL NO.  
9214 8902 0982 7500 0672 23

and a copy was delivered to:

Consumer Assistance Division

AS DeBose

Antuanya "Bo" DeBose