

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

FILED
SEP 11 2024
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel.)
GLEN MULREADY, Insurance Commissioner,)
)
 Petitioner,)
v.)
)
SHAWN OKERSON, an applicant for renewal)
of an Oklahoma resident producer license,)
)
)
 Respondent.)

Case No. 24-0439-DIS

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

2. Respondent Shawn Okerson ("Respondent") holds an expired resident producer license, license number 3000565742 and is an applicant to renew his resident producer license (transaction number 756028590). Respondent's mailing address of record is [REDACTED]
[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, 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 November 30, 2023, Respondent's resident producer license expired.

8. On or about May 31, 2024, Respondent submitted his application for a producer license (transaction number 756028590).

9. On or about June 3, 2024, the Oklahoma Insurance Department Licensing Division (OID) issued an audit letter requiring Respondent to disclose any instances Respondent sold, solicited, or negotiated insurance in the State of Oklahoma since November 30, 2023.

10. On or about June 4, 2024, Respondent replied to OID's audit letter and disclosed ninety-seven occurrences of selling, soliciting or negotiating insurance in the State of Oklahoma between the dates of December 1, 2023 and May 31, 2024 while Respondent's license was expired.

11. Pursuant to 36 O.S. §1435.4: "A person shall not sell, solicit or negotiate insurance in this state . . . unless the person is licensed . . . 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 violated 36 O.S. § 1435.4(A) and 36 O.S. § 1435.13(A)(2) by conducting the business of insurance of selling, soliciting, or negotiating ninety-seven (97) policies while failing to maintain an active producer license.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Respondent is hereby **CENSURED** and **FINED Six Hundred Forty-Four Dollars (\$644.00)**. The fine can be paid in two equal payments of Three Hundred Twenty-Two (\$322.00); the first fine payment shall be paid within thirty (30) days of the date of this Conditional Administrative Order and the second fine payment of Three Hundred Twenty-Two Dollars (\$322.00) shall be paid within sixty (60) days of the date of this Conditional Administrative Order. The fine must be paid 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. Payment will include a nonrefundable processing fee of One Dollar (\$1.00), which you must agree

to accept by clicking the "Accept Terms and Conditions" button. On the next screen, you will select the "Payment Type" from the drop-down menu by selecting "Legal Fines and Costs" and clicking "Continue," which will take you to a page to complete your payment. 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 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 17th day of September 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
Fax: 405-521-0125

CERTIFICATE OF MAILING

I, Julie Reding, hereby certify that a true and correct copy of the above and foregoing *Amended 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 17th day of September 2024 to:

Shawn Okerson


CERTIFIED MAIL NO.
9214 8902 0982 7500 0656 49

and

that a copy was delivered to:

Licensing Division



Julie Reding