

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**  
NOV 13 2024  
INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. )  
GLEN MULREADY, Insurance Commissioner, )  
 )  
Petitioner, )  
v. )  
 )  
JESSICA CHARMACK, a licensed )  
nonresident insurance adjuster )  
 )  
 )  
Respondent. )

Case No. 24-0698-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 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, including the Oklahoma Insurance Adjusters Licensing Act, 36. O.S. §§ 6201–6223.

2. Respondent Jessica Charmack (“Respondent”) holds an Oklahoma nonresident insurance adjuster license number 100157213. 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. § 6220.

4. Pursuant to 36 O.S. § 6220 (A) and (B), in addition to or in lieu of any applicable denial, probation, censure, suspension or revocation of or refusal to issue or renew a license, the Insurance Commissioner may levy a fine up to \$1,000.00 for each violation of the Oklahoma Insurance Adjusters Licensing Act.

5. If Respondent requests a hearing in writing in this matter 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 requested by Respondent.

6. Pursuant to OAC 365:1-7-5, upon written request reasonably made by a person affected by the hearing and at such person's expense, the Insurance Commissioner shall cause a full stenographic record of the proceedings to be made by a competent court reporter.

#### **FINDINGS OF FACT**

7. On or about December 21, 2023, Respondent's nonresident insurance adjuster license expired.

8. On or about July 24, 2024, the Oklahoma Insurance Department Consumer Assistance Division (OID) received a request for assistance from an Oklahoma insured consumer regarding an April 23, 2024 loss of claim (claim number 240320586) on an insurance policy with Esurance Insurance Company ("Esurance") (NAIC license number 25712). The request also identified the reason for the complaint.

9. On or about July 24, 2024 OID, during the course of the consumer investigation, OID requested information from Esurance regarding the complainant's complaint, including the name of the adjuster who had worked on complainant's claim. OID also asked Esurance to include the adjuster's Oklahoma license number and NAIC number.

10. On or about July 31, 2024, Esurance responded to OID and disclosed and acknowledged that Respondent was the adjuster who had worked on the complainant's claim.

11. During the consumer investigation, OID discovered that Respondent's nonresident insurance adjuster's license was expired when complainant's damage claim was adjusted.

12. On or about August 1, 2024, OID issued an audit letter to Esurance requiring them to disclose all claims that Respondent had adjusted in the State of Oklahoma since December 31, 2023.

13. On or about August 28, 2024, Respondent disclosed that she had adjusted three claims between the dates of March 17, 2024 and June 3, 2024 while Respondent's adjuster license was expired.

14. On or about August 29, 2024, Esurance responded to OID's audit letter and disclosed three (3) occurrences of Respondent adjusting insurance claims in the State of Oklahoma between the dates of March 17, 2024 and June 3, 2024 while Respondent's license was expired.

15. Pursuant to 36 O.S. § 6620(A)(9), it is a violation of the Adjuster Licensing Act for any adjuster to "adjust losses or negotiate claim settlements arising pursuant to provisions of insurance contracts on behalf of an insurer or the insured party without proper licensing from the Commissioner."

16. Pursuant to 36 O.S. § 6220(A) & (B), in addition to any potential denial, censure, suspension or revocation or refusal to issue or renew a license, the Insurance Commissioner may subject any person violating the provisions of the Insurance Adjusters Licensing Act to civil fines of not more than One Thousand Dollars (\$1,000.00) for each violation.



### **CONCLUSIONS OF LAW**

17. Respondent violated 36 O.S. § 6220(A)(9) by adjusting losses or negotiating claim settlements arising pursuant to provisions of insurance contracts on behalf of an insurer or insured without proper licensing from the Insurance Commissioner when Respondent adjusted three (3) claims between the dates of March 17, 2024 and June 3, 2024.

### **ORDER**

**IT IS THEREFORE ORDERED** that Respondent is hereby **CENSURED** and **FINED THREE HUNDRED DOLLARS (\$300.00)**. The fine shall be paid within thirty (30) 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 one must agree to accept by clicking the "Accept Terms and Conditions" button. On the next screen, one will select the "Payment Type" from the drop-down menu by selecting "Legal Fines and Costs" and clicking "Continue," which will take one to a page to complete your payment. Should one experience difficulty completing one's 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 (31<sup>st</sup>) 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 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. §§ 101–7402, 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 13<sup>th</sup> day of November 2024.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

Julie Reding  
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**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 certified mail with postage prepaid and by email with a return receipt requested on this 13<sup>th</sup> day of November 2024 to:

Jessica Charmack



CERTIFIED MAIL NO.  
9214 8902 0982 7500 0668 37

and

that a copy was delivered to:

Consumer Assistance &  
Licensing Division

Julie Reding  
Julie Reding