

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
JUL 07 2023
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
THEOPHILUS OSEI BOAKYE, an unlicensed)
adjuster in the State of Oklahoma,)
)
Respondent.)
)

CASE NO. 23-0356-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, Antuanya “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, and the Oklahoma Insurance Adjusters Licensing act, 36 O. S. §§ 6201-6223.
2. Theophilus Osei Boakye (“Respondent”) is an unlicensed insurance adjuster in the State of Oklahoma. Respondent’s resident adjuster license number was 3000860571. Respondent’s 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(B), in addition to any potential denial, censure, suspension, or revocation, any person violating any provision of the Oklahoma Insurance Adjusters Licensing Act may be subject to a civil penalty of not more than \$1,000.00 for each violation.

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.

ALLEGATIONS OF FACT

6. Oklahoma Insurance Department's Consumer Assistance Division ("OID") received complaint #116184. OID sent Progressive Insurance Company ("Progressive") an inquiry and requested a response regarding the complaint.

7. Respondent's Oklahoma resident adjuster license expired September 30, 2022.

8. In the process of investigating the claim involved in the complaint, OID discovered Respondent was acting as an adjuster while unlicensed. OID requested Progressive provide a list of all Oklahoma claims adjusted by Respondent.

9. On or about June 8, 2023, Progressive submitted a response to OID regarding the complaint listing One Hundred Ninety-Two (192) claims worked by Respondent while his Oklahoma resident adjuster license was lapsed.

10. As of the date of this order, Respondent has not reinstated his Oklahoma resident adjuster license.

11. Pursuant to 36 O.S. §6220(A)(9), it is a violation of the Adjuster Licensing Act for an adjuster to adjust losses or negotiate claim settlements arising pursuant to provisions of insurance contracts on behalf of an insurer or insured without proper licensing from the Commissioner and

authority from the licensed insurer or the insured party;

ALLEGED CONCLUSIONS OF LAW

12. Respondent has violated 36 O.S. §6220(A)(9) by adjusting one hundred ninety-two (192) Oklahoma claims without proper licensure from the Oklahoma Insurance Commissioner.

ORDER

IT IS THEREFORE ORDERED that Respondent is hereby **CENSURED** and **FINED Six Hundred Fifty Dollars (\$650.00)**. 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 fine 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 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 Antuanya “Bo” DeBose, Oklahoma Insurance Department, Legal Division, 400 NE 50th 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 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 7th day of July 2023.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

AsDeBose

Antuanya "Bo" DeBose
Assistant General Counsel
Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, Oklahoma, 73105
Tel. (405) 522-4805
Fax (405) 522-0125
Bo.debose@oid.ok.gov

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 7th day of July, 2023, to:

Theophilus Osei Boakye

[Redacted address]

Theophilus_Osei-Boakye@progressive.com

[Redacted address]

CERTIFIED MAIL NO:
9214 8902 0982 7500 0553 50

and a copy was delivered to:

Licensing & Consumer Assistance Division

AsDeBose

Antuanya "Bo" DeBose
Assistant General Counsel