

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

JUN 29 2023

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
v.)
)
DARVELL SHERROD GREEN, an applicant)
for a resident insurance producer license in the)
State of Oklahoma,)
)
Respondent.)

Case No. 23-0360-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, Andrea M. Golden, 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 Oklahoma Producer Licensing Act, 36 O.S. § 1435.1 *et seq.*

2. Respondent Darvell Sherrod Green is an applicant for resident insurance producer license. Respondent’s 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. § 1435.13(A) and (D).

4. 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.

FINDINGS OF FACT

5. On or about April 21, 2023, Respondent submitted an application for a resident insurance producer license.

6. On the application form, question 1b asks the following: “Have you been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony which has not been previously reported to the insurance department?” Respondent answered “No” to question 1b on his application.

7. Upon review of the application, the Oklahoma Insurance Department Licensing Division (“OID”) discovered that on March 25, 2004, Respondent pleaded guilty to two (2) felonies and was subsequently convicted.

8. 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;

9. Pursuant to 36 O.S. § 1435.13(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 subject to a civil fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each occurrence. Said penalty may be enforced in the same manner in which civil judgments may be enforced.

CONCLUSIONS OF LAW

10. Respondent violated and 36 O.S. § 1435.13(A)(1) by providing incorrect, misleading, incomplete or materially untrue information when he failed to disclose his prior felony convictions in the license application.

ORDER

IT IS THEREFORE ORDERED that Respondent is hereby **CENSURED** and **FINED Two Hundred Fifty Dollars** (\$250.00). 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 thirty-first (31st) day following the date of mailing this Order. A request for hearing should be in writing and addressed to Andrea M. Golden, 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 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 29th day of June 2023.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in blue ink, appearing to be "A", is written over a horizontal line.

Andrea M. Golden, OBA #33390
Assistant General Counsel
Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, Oklahoma 73105
Tel. (405) 521-2746
Fax (405) 522-0125

CERTIFICATE OF MAILING

I 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 electronic mail and by certified mail, with postage prepaid and return receipt requested, on this 29th day of June 2023 to:

Darvelll Sherrod Green



CERTIFIED MAIL NO:
9214 8902 0982 7500 0552 37

and a copy was delivered to:

Licensing Division

A handwritten signature in blue ink, appearing to be 'A. Golden', written over a horizontal line.

Andrea M. Golden
Assistant General Counsel