

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

FEB 28 2024

**INSURANCE COMMISSIONER
OKLAHOMA**

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
))
Petitioner,)
vs.)
))
CAROL RUTH HARRIS, a licensed bail)
bondsman in the State of Oklahoma,)
))
AND)
))
UNITED STATES FIRE INSURANCE)
COMPANY, a licensed property and casualty)
insurer in the state of Oklahoma,)
))
Respondents.

CASE NO. 23-0614-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, Teresa L. Green, 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 Bail Bond Act, 59 O. S. §§ 1301-40.
2. Respondent Carol Ruth Harris (“Respondent Harris”) is a licensed bail bondsman in the State of Oklahoma holding license number 199677. Respondent Harris’ address of record is 2906 SW 57th St., Oklahoma City, OK 73119-5426.
3. Respondent United States Fire Insurance Company (“Respondent USFIC”) is a property casualty insurer licensed in the state of Oklahoma holding NAIC CoCode 21113.

Respondent USFIC's address of record is 305 Madison Ave., Morristown, NJ 07962.

4. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 59 O.S. §§ 1310 and 1332.

5. Pursuant to 59 O.S. § 1310(B), in addition to any potential denial, censure, suspension, or revocation, any person violating any provision of the Oklahoma Bail Bond Act may be subject to a civil penalty of not less than \$250.00 nor more than \$2,500.00 for each occurrence.

6. If Respondents request a hearing in writing in this matter, pursuant to OAC 365:1-7-1, the Insurance Commissioner, pursuant to 59 O.S. § 1311.1, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

7. The Insurance Commissioner, 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, shall cause a full stenographic record of the proceedings to be made by a competent court reporter.

FINDINGS OF FACT

8. On or about February 22, 2023, an appearance bond was filed as follows:

Defendant:	Valencia McDavid
Case Number(s):	CM-2014-2084
City/County:	Oklahoma County
Surety:	United States Fire Insurance Company
Bondsman:	Carol Harris
Power Number(s):	U5-21444463
Bond Amount(s):	\$4,000.00

9. On or about May 19, 2023, the Defendant failed to appear in CM-2014-2084. An Order and Judgment of Forfeiture was issued in CM-2014-2084 on or about May 30, 2023, by the Oklahoma County District Court. A true and correct copy of the Order and Judgment of Forfeiture

was mailed to Respondent Harris and Respondent USFIC with return receipt requested within thirty (30) days after the Order's filing.

10. Respondent Harris received a copy of the Order and Judgment of Forfeiture in CM-2014-2084 on or about June 5, 2023.

11. Respondent USFIC received a copy of the Order and Judgment of Forfeiture in CM-2014-2084 on or about June 12, 2023.

12. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was September 5, 2023.

13. The forfeiture in CM-2014-2084 was paid on or about September 15, 2023.

14. Forfeiture was not timely paid, and the defendant was not timely returned to custody.

CONCLUSIONS OF LAW

15. Respondents have violated 59 O.S. 1310(A)(2) and (28), by failing to return the Defendant to custody within ninety (90) days or remit payment in the face amount of the bond forfeiture within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture in accordance with the provisions of 59 O.S. § 1332 and OAC 365:25-5-40.

16. Pursuant to 59 O.S. § 1310(B), any bondsman violating a provision of the Bail Bond Act, 59 O.S. §§ 1301 et seq., may be subject to a fine of not less than \$250.00 but not more than \$2,500.00 per violation.

ORDER

IT IS THEREFORE ORDERED that Respondent Harris is FINED \$1,000.00 and Respondent USFIC is FINED \$2,500.00. The fines are to be paid within 30 days of the date of

this Conditional Administrative Order and made payable to the Oklahoma Insurance Department.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless either 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 shall 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 Teresa L. Green, Oklahoma Insurance Department, Legal Division, 400 N.E. 50th Street, Oklahoma City, OK 73105. The request for hearing must state the grounds for the request to set aside or modify the Order.

Any such hearing will be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. § 250 et seq. If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will 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 will be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 28th day of February, 2024.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Teresa L. Green, OBA #32897
Senior Counsel
Oklahoma Insurance Department
400 N.E. 50th Street
Oklahoma City, OK 73105
Tel. (405) 521-6654
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 mailed by certified mail, with postage prepaid and return receipt requested, on this 28th day of February, 2024, to:

Carol Harris
2906 SW 57th St.
Oklahoma City, OK 73119-5426


CERTIFIED MAIL NO. 9214 8902 0982 7500 0602 86

United States Fire Insurance Company
305 Madison Ave.
Morristown, NJ 07962

CERTIFIED MAIL NO. 9214 8902 0982 7500 0602 93

and a copy was delivered to:

Bail Bonds Division



Teresa L. Green