

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

JAN 29 2024

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
OKLAHOMA PROPERTY & CASUALTY)
INSURANCE COMPANY, a licensed insurer)
in the State of Oklahoma,)
)
Respondent.)

**INSURANCE COMMISSIONER
OKLAHOMA**

Case No. 23-0786-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, 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 et seq., including 36 O.S. §§ 309.1 through 309.7.

2. The Oklahoma Property & Casualty Insurance Company (“Company” or “Respondent”) is an Oklahoma domestic property and casualty insurance company authorized to transact the following lines of insurance business: accident & health or sickness, casualty (including vehicle), casualty (vehicle only), marine, property, and surety (excluding bail). The Company operates in the State of Oklahoma pursuant to SBS Company Number 44197516 and NAIC Company Code number 36382.

FINDINGS OF FACT

3. On or about September 29, 2023, the Oklahoma Insurance Department issued Order Adopting Report of Examination which ordered Respondent to “file within thirty (30) days...affidavits executed by each of its directors stating under oath that each director has received a copy of the adopted Report [of Financial Examination] and the related Order.”

4. To date, the Oklahoma Insurance Department has not received the Respondent’s affidavits.

5. Pursuant to 36 O.S. § 309.4(D)(1), the company shall file affidavits executed by each of its directors stating under oath that they have received a copy of the adopted report and related orders within thirty (30) days of the issuance of the adopted report.

6. The Insurance Commissioner may fine any insurer who knowingly and willfully violates the Oklahoma Insurance Code with a civil penalty of not more than \$5,000.00 for each occurrence. *See* 36 O.S. § 619(B).

CONCLUSIONS OF LAW

7. Respondent violated 36 O.S. § 309.4(D)(1) by not filing affidavits executed by each of its directors stating under oath that they have received a copy of the adopted report and related orders within thirty (30) days of the issuance of the adopted report when the affidavits were not submitted, and the order was issued on September 29, 2023.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated 36 O.S. § 309.4(D)(1) and as a result Respondent is **FINED** in the amount of FIVE HUNDRED DOLLARS (\$500.00). The Fine is to be paid within thirty (30) days of receipt of this Order.

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, this Order and 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 Teresa L. Green, Oklahoma Insurance Department, Legal Division, 400 N.E. 50th Street, Oklahoma City, Oklahoma 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. § 250-323. 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 29th day of January, 2024.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Teresa L. Green, OBA #32897
Senior Counsel
Oklahoma Insurance Department
400 N.E. 50th St.
Oklahoma City, OK 73105
Telephone: (405) 521-6654
Facsimile: (405) 522-0125

CERTIFICATE OF MAILING

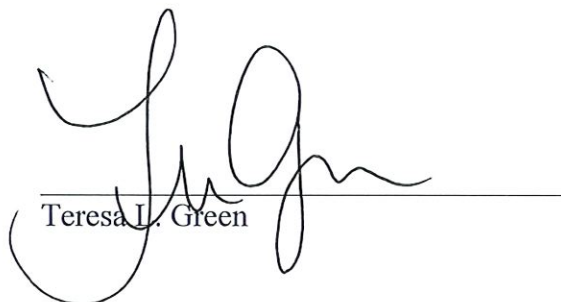
I, Teresa L. Green, hereby certify that a true and correct copy of the above foregoing *Conditional Administrative Order and Notice of Right to be Heard* was mailed by certified mail, with postage prepaid and return receipt requested, on this 29th day of January, 2024, to:

Oklahoma Property & Casualty Insurance Company
P.O. Box 20900
Oklahoma City, OK 73156-0900

CERTIFIED MAIL NO. 9589 0710 5270 0679 4486 43

and that a copy was delivered to:

Financial Division



Teresa L. Green