

FILED

MAR 27 2008

**INSURANCE COMMISSIONER
OKLAHOMA**

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. KIM)	
HOLLAND, Insurance Commissioner,)	
Petitioner,)	
v.)	Case No. 08-0058-DIS
SENECA INSURANCE COMPANY, a licensed)	
Surety in the State of Oklahoma,)	
and)	
BRUCE HANCOCK, a licensed Bail Bondsman)	
in the State of Oklahoma,)	
Respondent.)	

ADMINISTRATIVE ORDER

ON THE 20th day of February, 2008, the above numbered and entitled cause came on for hearing and was concluded on the same date. The Insurance Commissioner, Kim Holland, was represented by her attorney, Sandra G. LaVenue. Respondent Seneca Insurance Company (hereafter "Seneca") failed to appear after having been mailed a copy of the Notice of Hearing and Order to Show Cause by certified mail with return receipt requested to the last known address as provided by Seneca to the Insurance Commissioner pursuant to the Oklahoma Bail Bond Code, OKLA. STAT. tit. 59, §§1301-1340, and the Oklahoma Administrative Procedures Act, OKLA. STAT. tit. 75, §§250-323. Respondent Bruce Hancock (hereinafter "Hancock") failed to appear and failed to have counsel present on his behalf; after having been mailed a copy of the Notice of Hearing and Order to Show Cause by certified mail with return receipt requested to the last known address as provided by Hancock to the Insurance Commissioner pursuant to the Oklahoma Bail Bond Code, OKLA. STAT. tit. 59, §§1301-1340, and the Oklahoma Administrative Procedures Act, OKLA. STAT. tit. 75, §§250-323.

The Hearing Examiner, having been fully advised in the premises, finds by clear and

convincing evidence as follows:

JURISDICTION AND AUTHORITY

1. That the Insurance Commissioner has jurisdiction of this cause, pursuant to the provisions of the Oklahoma Bail Bond Code, OKLA. STAT. tit. 59, §§1301-1340.
2. Seneca is a licensed surety in the State of Oklahoma holding license number 2344.
3. Hancock is a licensed bail bondsman in the State of Oklahoma holding license number 800290/199958.

FINDINGS OF FACT

1. That on or about February 5, 2008, Petitioner through her attorney, caused to be mailed a *Notice of Hearing and Order to Show Cause* to Respondents at their addresses of record.
2. That the *Notice of Hearing and Order to Show Cause* each contained statements of jurisdiction, allegations of fact, alleged violations of law and an order setting each the proceedings for February 20, 2007, at 9:30 a.m. at the office of the Insurance Commissioner, 2401 N.W. 23rd Street, Suite 28, Oklahoma City, Oklahoma 73107.
3. The February 5, 2008 *Notice of Hearing and Order to Show Cause* was mailed to Seneca by certified mail return receipt requested, article number 7001 0320 0004 0178 8858, to its address of record, 157 Main Street, Post Office Box 806, Greenville, PA 16125. The PS Form 3811 was signed by Sue Holiga on February 11, 2008 and returned to Petitioner on February 14, 2008.
4. The February 5, 2008 *Notice of Hearing and Order to Show Cause* was mailed to Hancock by certified mail return receipt requested, article number 7001 0320 0004 0178 8841, to his address of record, 4801 N. Classen, Suite 118, Oklahoma City, Oklahoma 73118. The PS Form 3811 was signed by Respondent on February 13, 2008 and returned to Petitioner on February 14,

2008.

5. That the Insurance Commissioner appointed Leslie L. Conner, Jr. to hear the case as the independent Hearing Examiner and he entered these findings and conclusions.

6. The Hearing was recorded electronically by employees of the Oklahoma Insurance Department. Neither party requested a full stenographic record of the proceedings.

7. Due to Respondents' failure to appear, they are found in default. As a result, the Allegations of Fact as listed in the February 5, 2008, *Notice of Hearing and Order to Show Cause* are deemed to be true and correct. They are as follows:

a. On or about June 17, 2007, an appearance bond was issued as follows:

Defendant:	Brittany Alford
Case Number:	064190780
City/County:	Oklahoma City Municipal
Bondsman:	Bruce Hancock
Insurer:	Seneca Insurance Company
Power Number:	S05-01235848
Bond Amount:	\$219.00

b. On or about August 10, 2007, the bond was forfeited and an Order and Judgment of Forfeiture was issued.

c. The Defendant was not returned to custody within ninety (90) days nor was the forfeiture paid within ninety-one (91) days.

8. The forfeiture was untimely paid on February 26, 2008.

9. The following exhibit was introduced and admitted without objection:

Petitioner's Exhibit A (P-A): (6 page) Copy of last six (6) pages from Hancock's administrative history.

10. Respondents' actions in failing to deposit cash or other valuable securities in the face amount of the bond with the Court Clerk ninety-one (91) days from receipt or mailing of the

Order and Judgment of Forfeiture from the Court Clerk is a violation of OKLA. STAT. tit. 59, § 1332.

CONCLUSIONS OF LAW

1. These proceedings were commenced in accordance with and conducted pursuant to the applicable provisions of the Oklahoma Administrative Procedures Act, OKLA. STAT. tit. 75, §§ 250-323, as amended, and the Oklahoma Bail Bond Code, OKLA. STAT. tit. 59, §§ 1301-1340 as amended.

2. The Commissioner has jurisdiction to conduct this hearing as Seneca is a licensed surety in the State of Oklahoma and Hancock is a licensed bail bondsman in the State of Oklahoma, pursuant to OKLA. STAT. tit. 59, §§ 1301-1340, as amended.

3. The Respondents were provided lawful service and adequate notice of the time and place of the hearing and were sufficiently advised of the allegations as required by OKLA. STAT. tit. 75, § 309, as amended and OKLA. STAT. tit. 59, § 1311, as amended.

4. The Independent Hearing Examiner was properly and legally appointed pursuant to OKLA. STAT. tit. 59, § 1311.1(B).

5. Due to Respondents' failure to appear, they are found in default. As a result, the Alleged Violation of Law as listed in the February 5, 2008, *Notice of Hearing and Order to Show Cause* are deemed to be true and correct. It is as follows

a. Respondent has violated OKLA. STAT. tit. 59, § 1332(D) by failing to deposit cash or other valuable securities in the face amount of the bond with the Court Clerk ninety-one (91) days from receipt or mailing of the Order and Judgment of Forfeiture from the Court Clerk.

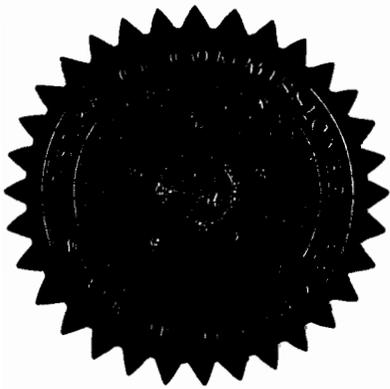
ORDER

1. IT IS THEREFORE ORDERED that Seneca is hereby fined in the amount of **One Hundred and No/100 Dollars(\$150.00)** and assessed costs in the amount of **Fifty and No/100**

Dollars (\$50.00). Fine and costs to be paid within sixty (60) days from receipt of this letter. If Seneca fails to pay the fine within sixty (60) days of receipt of this Order, its certificate of authority will be immediately and without further notice cancelled and all of its appointments will be immediately cancelled as well.

2. IT IS FURTHER ORDERED that Hancock is hereby fined in the amount of **One Hundred and No/100 Dollars (\$100.00)** and assessed costs in the amount of **Fifty and No/100 Dollars (\$50.00).** Fine and costs are to be paid within sixty (60) days from the date of the hearing. If Hancock fails to pay the fine within sixty (60) days of receipt of this Order, his bail bond license will be immediately and without further notice cancelled and all of its appointments will be immediately cancelled as well.

WITNESS My Hand and Official Seal this 27 day of Mar, 2008.



KIM HOLLAND
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Leslie L. Conner, Jr.
LESLIE L. CONNER, JR.
Hearing Examiner
Post Office Box 53408
Oklahoma City, Oklahoma 73152-3408
(405) 521-2746

CERTIFICATE OF MAILING

I, Sandra G. LaVenu, hereby certify that a true and correct copy of the above and foregoing Administrative Order was mailed postage prepaid with return receipt requested on this 28 day of March, 2008, to:

Seneca Insurance Company
Bail Bond Division
157 Main Street
Post Office Box 806
Greenville, PA 16125

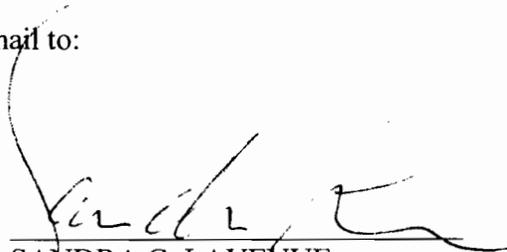
Bruce Hancock
4801 N. Classen, Suite 118
Oklahoma City, Oklahoma 73118

and that a copy was mailed to:

Oklahoma City Municipal Court
700 Couch Drive
Oklahoma City, Oklahoma 73102

and that a copy was delivered via electronic mail to:

Robert H. Noll, Director
Bail Bond Division



SANDRA G. LAVENU
Assistant General Counsel