BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

FILED

OCT - 8 2008

INSURANCE COMMISSIONER OKLAHOMA

STATE OF OKLAHOMA, ex rel. KIM HOLLAND, Insurance Commissioner, Petitioner,	)	
v.	)	Case No. 08-0139-DIS
JOSE ARROYO, a licensed Bail Bondsman in the State of Oklahoma, Respondent.	)	

CONSENT ORDER

COMES NOW the State of Oklahoma, ex rel. Kim Holland, Insurance Commissioner, and the Respondent and enter into this Consent Order.

JURISDICTION

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. That Respondent is a licensed bail bondsman in the State of Oklahoma holding license number 800926/199495.

3. That Respondent has been apprised of his rights including the right to a public hearing and has knowingly and freely waived said rights and enters into this Consent Order as a voluntary settlement to the issues and questions raised in the above captioned case.

STIPULATIONS OF FACT

1. On or about April 18, 2007, Respondent filed with Petitioner an address of 7966 E 41st Street, Suite 10E, Tulsa, Oklahoma 74145-3282 as his address of record.

2. Respondent has not filed a change of address with Petitioner since he filed his address on April 18, 2007.

3. On or about July 25, 2007, Petitioner mailed correspondence to Respondent regarding his June 2007 International Fidelity Insurance Company monthly surety report. Said correspondence was mailed by certified mail, return receipt requested, article number 7006 0810 0002 61111 9029. Said notice was returned to

Petitioner on September 4, 2007, marked "Return to Sender, Unclaimed, Unable to Forward" by the United States Postal Service (USPS).

4. On or about September 4, 2007, Petitioner mailed correspondence to Respondent regarding his June 2007 International Fidelity Insurance Company monthly surety report. Said correspondence was mailed by certified mail, return receipt requested, article number 7006 0810 0002 6161 9470. Said notice was mailed to Petitioner on September 4, 2007. Said notice was returned to Petitioner on October 1, 2007 marked "Return to Sender, Unclaimed, Unable to Forward" by the United States Postal Service (USPS).

5. On or about November 2, 2007, Petitioner mailed correspondence to Respondent regarding unreported bonds. Said correspondence was mailed by certified mail, return receipt requested, article number 7001 0320 004 2326 8543. Said correspondence was returned to Petitioner on December 3, 2007, marked "Return to Sender, Refused Unclaimed" by the United States Postal Service (USPS).

6. On or about November 30, 2007, Petitioner mailed correspondence to Respondent regarding his July 2007, August 2007, September 2007, and October 2007 International Fidelity Insurance Company monthly surety reports. Said correspondence was mailed by certified mail, return receipt requested, article number 7001 0320 0004 2326 6174. Said correspondence was returned to Petitioner on December 26, 2007 marked "Return to Sender, Unclaimed, Unable to Forward" by the United States Postal Service (USPS).

7. That on or about January 28, 2008, Petitioner mailed correspondence to Respondent regarding his December 2007 International Fidelity Insurance Company

monthly surety report. Respondent was instructed to remit unpaid reviewal fees in the amount of Twenty-seven and 02/100 Dollars ($27.02) for his October 2007 report by February 14, 2008. Said correspondence was mailed by certified mail, return receipt requested, article number 7001 0320 0004 2328 3171. Said correspondence was returned to Petitioner on March 17, 2008 marked "Return to Sender, Unclaimed, Unable to Forward" by the United States Postal Service (USPS).

8. That on or about February 20, 2008, Petitioner attempted to fax the January 28, 2008 correspondence to Respondent at 918-835-0879. A fax number Respondent provided to Petitioner during a telephone call with Respondent. Petitioner attempted to send the facsimile three (3) times. Two were cancelled as the phone line was busy and the third a line error occurred.

9. That on or about February 26, 2008, Respondent paid the unpaid reviewal fee in the amount of Twenty-seven and 02/100 Dollars ($27.02).

CONCLUSIONS OF LAW

1. Respondent has violated OKLA. STAT. tit. 59, § 1310(A)(21) by failing to pick up his mail. Thus indicating he has changed his address and failed to notify the Commissioner of said address change.

2. Respondent has violated OKLA. STAT. tit. 59, § 1310(A)(21) by failing to respond to a properly addressed notification from the Insurance Commissioner within a reasonable amount of time.

ORDER AND CONSENT

IT IS THEREFORE ORDERED by the Insurance Commissioner and CONSENTED to by the Respondent that he shall be and hereby is fined in the amount of **One Hundred Fifty and No/100 Dollars ($150.00)**. Fine is to be paid immediately.

WITNESS My Hand and Official Seal this 8th day of October, 2008.

KIM HOLLAND
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

LEAMON FREEMAN
Hearing Examiner
Post Office Box 53408
Oklahoma City, Oklahoma 73152-3408

APPROVED:

SANDRA G. LAVENUE
Assistant General Counsel

JOSE ARROYO
Respondent

CERTIFICATE OF MAILING

I, Sandra G. LaVenue, hereby certify that a true and correct copy of the above and foregoing Consent Order was mailed postage prepaid on this _____ day of _____, 2008, to:

Jose Arroyo
7966 E. 41st Street, Suite 10E
Tulsa, Oklahoma 74145-3282

and that a copy was delivered via electronic mail to:

Robert Noll, Director
Bail Bond Division

SANDRA LAVENUE
Assistant General Counsel