

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

JUL 11 2008

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. KIM)
HOLLAND, Insurance Commissioner,)
)
Petitioner)
)
v.)
)
STONEY HARIMAN, a licensed nonresident)
Public Adjuster,)
)
Respondent.)

Case No. 08-0640-DIS

FINAL ADMINISTRATIVE ORDER

COMES NOW the State of Oklahoma, ex rel. Kim Holland, Insurance Commissioner, by and through her attorney, Julie Delluomo, and alleges and states as follows:

JURISDICTION AND AUTHORITY

1. Kim Holland 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 the Insurance Adjuster Licensing Act, 36 O.S. §§ 6201 et seq.
2. Karl F. Kramer is the Deputy Insurance Commissioner of the State of Oklahoma and as such, by order of the Insurance Commissioner, is authorized to issue orders and take actions administering and enforcing the provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., including the authority to issue orders relating to the Insurance Adjuster Licensing Act, 36 O.S. §§ 6201 et seq.
3. Respondent is licensed by the State of Oklahoma as a nonresident public adjuster holding license number 141926. His address of record is 740 Fairview School Road, San Angelo, Texas 76904.
4. The Insurance Commissioner may censure, suspend, revoke or refuse to issue a renewal license after hearing for any cause for which the original issuance of a license could

have been refused or for violation of any provision of the Insurance Adjusters Licensing Act. 36 O.S. § 6220(A)(2) and (8).

5. If the Insurance Commissioner finds that the public hearing, safety or welfare imperatively requires emergency action, and incorporates a fining to the effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. 75 O.S. §§ 314 (C) (2), 314.1, OAC § 365:1-7-9(a).

FINDINGS OF FACT

1. Prior to the issuance of a license as a public adjuster or any renewal of the license, the applicant shall file with the Commissioner a surety bond in favor of the people of the State of Oklahoma executed by a surety company authorized to do business in the state, in the amount of Ten Thousand Dollars (\$10,000.00). 36 O.S. § 6214(A).

2. The bond shall be conditioned on the accounting by the adjuster to any insured whose claim the adjuster is handling for monies or any other settlement received in connection with the claim. 36 O.S. § 6214(A).

3. Any bond shall remain in force concurrently with the license or until the surety is released from liability by the Commissioner, or until cancelled by the surety. Without prejudice to any liability accrued prior to the cancellation, the surety may cancel a bond upon thirty (30) days' advance notice in writing filed with the Commissioner. 36 O.S. § 6214(B).

4. CNA Surety notified the Commissioner by letter dated August 29, 2007 that Bond No. 70136739 on Respondent public adjuster would be cancelled effective October 10, 2007 for nonpayment of premium (Exhibit "A").

5. The Agents Licensing Division of the Oklahoma Insurance Department (the "Department") notified Respondent public adjuster by letter dated October 22, 2007, sent

certified mail, that a public adjuster replacement bond was required no later than November 2, 2007 to remain licensed as a public adjuster (Exhibit "B").

6. Respondent public adjuster failed to provide a surety bond in force with his public adjuster license.

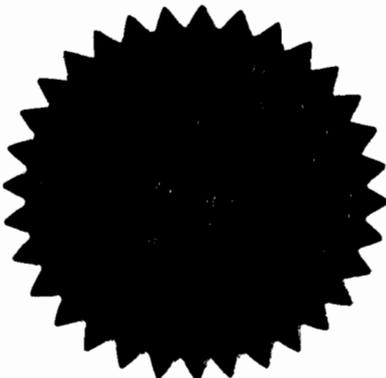
CONCLUSIONS OF LAW

Respondent is in violation of 36 O.S. § 6214 for failing to keep a surety bond in force concurrently with his public adjuster license. This is cause for which original issuance of Respondent's license could have been refused and violates the Insurance Adjusters Licensing Act. 36 O.S. § 6220(A)(2) and (8).

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that the Respondent's Public Adjuster License is **REVOKED** for violations of 36 O.S. § 6220(A)(9) and 36 O.S. § 6204 and that no hearing was requested and therefore the Conditional Order entered in this matter on May 9, 2008 is a **FINAL ADMINISTRATIVE ORDER**.

WITNESS My Hand and Official Seal this 11th day of July, 2008.




KARL F. KRAMER
DEPUTY INSURANCE COMMISSIONER
STATE OF OKLAHOMA

CERTIFICATE OF MAILING

I, Julie Delluomo, hereby certify that a true and correct copy of the above and foregoing Final Administrative Order was mailed via certified mail with postage prepaid and return receipt requested on this 11th day of July, 2008, to:

Stoney Hariman
740 Fairview School Rd
San Angelo, TX 76904

CERTIFIED MAIL NO. 7001 0320 0004 0178 8865

Notification was sent to:

NAIC/RIRS

A copy was delivered to:

Sandra Simms
Agents Licensing Division

April Morris
Consumer Assistance/Claims Division



Julie Delluomo
Assistant General Counsel
P.O. Box 53408
Oklahoma City, Oklahoma 73152-3408
Telephone: (405) 521-2746
Facsimile: (405) 522-0125

CNA SURETY

PO Box 5077 Steam Falls SD 57117-3077

1-800-331-6053
Fax 1-605-335-0357
www.cnasurety.com

August 29, 2007

Agent Code: 32-00289

STATE OF OKLAHOMA
INSURANCE COMMISSIONER
P. O. BOX 53408
OKLAHOMA CITY, OK 73152-3400

Re: Bond No. 70136739 Penalty \$10,000
STONEY HARIMAN
740 FAIRVIEW SCHOOL RD.
SAN ANGELO, TX 76904

141926-

(old # A21306)

PUBLIC ADJUSTER
Company Code: 0601 - WESTERN SURETY COMPANY

We wish to take advantage of the cancellation provision pertaining to this bond or policy.

You are hereby notified that this bond or policy is cancelled and voided as of October 10, 2007, or the earliest time permitted by applicable law, whichever is later.

This bond or policy has been cancelled or nonrenewed because of nonpayment of premium.

cc: STONEY HARIMAN

THE BOND EXCHANGE
P. O. BOX 10589
CHARLOTTE, NC 28212

Underwriting Services



RECEIVED BY
AGENT LICENSING
SEP 04 2007
OKLAHOMA
INSURANCE DEPARTMENT



OKLAHOMA INSURANCE DEPARTMENT
State of Oklahoma

October 22, 2007

Certified Mail
7001 0320 0004 2363 5086

Stoney Hariman
740 Fairview School Rd
San Angelo, TX 76904

RE: Bond number: 70136739
License number: 141926 (formerly A21306)

Dear Mr. Hariman:

Enclosed is a copy of a bond cancellation notice from CNA Surety (Western Surety Company) notifying the Oklahoma Insurance Department that your **Public Adjuster** bond would be cancelled October 10, 2007. You must provide a replacement bond no later than **November 2, 2007**.

Please include a copy of this letter with your new bond. Your prompt attention to this matter will ensure your license will not be cancelled.

Sincerely,

Jan Sinn

Jan Sinn
Administrative Officer
Agents Licensing Division
Phone: 405-521-3916 Fax: 405-522-3642
jansinn@insurance.state.ok.us

Enc.

