

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**

April 24 2009

INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. KIM )  
HOLLAND, Insurance Commissioner, )  
Petitioner, )  
v. )  
DIANA TEAGUE, a licensed Bail Bondsman )  
in the State of Oklahoma, )  
Respondent. )

Case Nos. 08-1674-DIS

**CONSENT ORDER**

COMES NOW the State of Oklahoma, ex rel. Kim Holland, Insurance Commissioner, and the Respondent Diana Teague (hereinafter 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, 59 O.S. §§ 1301-1340.
2. That Respondent is a licensed bail bondsman in the State of Oklahoma holding license numbers 800921/199113.
3. That Respondent has been apprised of her 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. Respondent was employed by Affordable Bail Bonds, Inc., ("Affordable") from approximately April 26, 2006 to October 30, 2008. All bonds were executed and filed by Respondent from April 26, 2006, to October 30, 2008, were written for the

benefit of Affordable Bail Bonds, Inc. All premiums received pursuant to these bonds were deposited into the general operating account for Affordable.

2. Affordable is an Oklahoma corporation and is wholly owned by Roberta Dampf Aguilar. Roberta Dampf Aguilar's ("Aguilar") bail bond license was suspended on December 6, 2007, and again suspended instanter on January 4, 2008. Aguilar's bail bond license was ultimately revoked on May 12, 2008.

3. Aguilar's personal living expenses were paid out of Affordable's general operating account. As a result, Respondent divided commissions with a non-licensed bail bondsman.

4. On or about August 4, 2008, Petitioner's appointed representative, Travis Smith, arrived at Affordable's office with a Notice of Financial Examination issued by Petitioner for the financial examination of professional bail bondsman Quan Hoang, Vice President of Affordable Bail Bonds, Inc. At such time, Mr. Smith requested financial documents, including bank statements for Quan Hoang and Affordable from January 1, 2008 through June 30, 2008 and payroll records for January 1, 2008 through June 30, 2008.

5. Mr. Smith requested these documents from Respondent. At said time, Respondent stated that the financial records were not housed at 121 N. Denver, Tulsa, Oklahoma 74103. Rather, they were located at Affordable Bail Bonds, Inc.'s accountant's office. Additional time was afforded to Mr. Hoang to produce the requested financial documents as a result of Respondent's statement. Respondent again on August 6, 2008, told Travis Smith that the financial records requested by the

Oklahoma Insurance Department were not maintained at Affordable's office and were maintained at Affordable's accountant's office.

6. Affordable's accountant, Gretchen Archer, signed an affidavit stating that the requested financial documents were not maintained at her place of business and in fact had never been in her possession.

7. On October 29, 2008, Quan Hoang testified that the financial records requested by Petitioner were in fact maintained at Affordable's office.

8. On or about September 17, 2008, Respondent posted a bond for Paul Brian Lewis in Tulsa County District Court, case number CF-2005-2715. Respondent posted the bond for Five Hundred Thousand Dollars (\$500,000.00) on Quan Hoang's professional power of attorney number Q10-08-0020.

9. On October 29, 2008, Mr. Hoang testified that all bonds over One Hundred Thousand Dollars (\$100,000.00) required prior approval by himself prior to the issuance of the bond. In addition, Mr. Hoang stated that he did not authorize the Paul Brian Lewis bond. Furthermore, he stated that the bond was not a good bond.

10. On March 19, 2008, Respondent filed or caused to be filed a mortgage against real property granted by Michelle Jewett, in which the beneficial ownership was not in the name of the Respondent or the professional bondsman as required by 59 O.S. § 1314(A).

11. The Jewitt Mortgage listed Affordable as the mortgagee and was for the use and benefit of Affordable in violation of 59 O.S. § 1314(A).

12. Affordable is not a surety company or a professional bondsman and is not licensed in the State of Oklahoma to transact the business of bail bonds.

### **CONCLUSIONS OF LAW**

1. Respondent has violated 59 O.S. § 1310(A)(9) by continually dividing/sharing commissions with a revoked non-licensed bail bondsman.

2. Respondent is in violation of 59 O.S. § 1314(A) by receiving collateral and holding collateral in the name of Affordable.

3. Respondent is in violation of 59 O.S. § 1314(A) by filing and /or permitting to be filed, mortgages that do not indicate beneficial ownership in favor of the professional bondsman and in fact placing beneficial ownership to a corporate entity not licensed to write bail bonds in the State of Oklahoma and which is the alter ego of a previously revoked bondsman.

4. Respondent is in violation of 59 O.S. § 1314(A), in that all mortgages filed on bonds in which she was the agent, created clouds upon the title of the real estate.

5. Respondent has violated 59 O.S. § 1310(A)(6) and (7) by misleading Petitioner's appointed representative and failing to comply with a proper order, rule or regulation of the Commissioner by stating that she could not provide the financial records for Affordable because they were at Affordable's accountant's office.

6. Respondent is in violation of 59 O.S. § 1310(4) by taking mortgages on behalf of Affordable; thereby, converting these mortgages which are required by 59 O.S. § 1314(A) to be held for the benefit of the professional bondsman.

7. Respondent is in violation of 59 O.S. § 1310(23) by filing reports that state that collateral is received by the individual bondsman which are in fact mortgages for the sole benefit of Affordable.

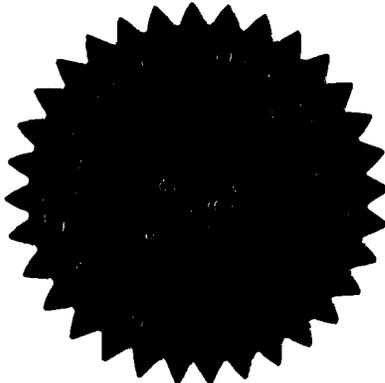
8. Respondent has violated the Bail Bond Code each and every time she wrote a bond secured by a mortgage and subsequently filed these mortgages for the benefit of Affordable. Respondent has violated the Bail Bond Code each and every time a premium was received by Affordable on bonds in which she was the agent.

**ORDER AND CONSENT**

IT IS THEREFORE ORDERED by the Insurance Commissioner and CONSENTED to by the Respondent that she is **censured** and fined in the amount of **One Hundred Dollars (\$100.00)**. The fine is to be paid immediately.

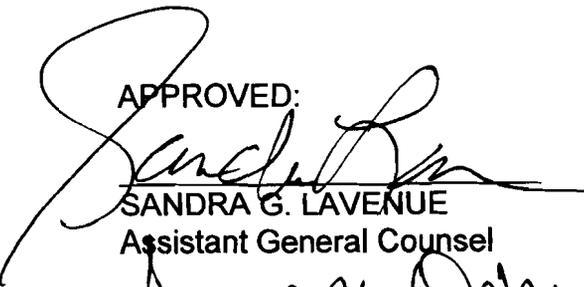
WITNESS My Hand and Official Seal this 23rd day of April, 2009

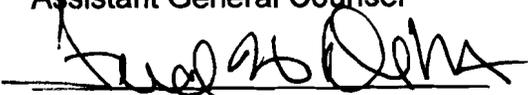
KIM HOLLAND  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA



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

APPROVED:

  
SANDRA G. LAVENUE  
Assistant General Counsel

  
FRED DEMIER  
Attorney for Respondent

**CERTIFICATE OF MAILING**

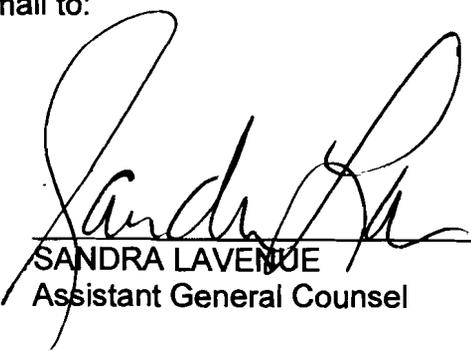
I, Sandra G. LaVenu, hereby certify that a true and correct copy of the above and foregoing Consent Order was mailed postage prepaid on this 24 day of April, 2009 to:

Fred DeMeir  
1640 S. Boston Ave.  
Tulsa, Oklahoma 74119  
Attorney for Respondent

Diana Teague  
900 N WASHINGTON AVE  
SAND SPRINGS, Oklahoma 74063

and that a copy was delivered via electronic mail to:

Robert Noll, Director  
Bail Bond Division

  
SANDRA LAVENUE  
Assistant General Counsel