

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

STATE OF OKLAHOMA, *ex rel.* )  
KIM HOLLAND, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
vs. )  
 )  
ROBERT SCOTT WAUGH, a Licensed )  
Bail Bondsman in the State of Oklahoma, )  
 )  
Respondent. )

Case No. 09-0194-DIS



ORDER OF CENSURE AND NOTICE OF RIGHT TO HEARING

COMES NOW the State of Oklahoma, ex rel., Kim Holland, Insurance Commissioner, by and through Assistant General Counsel John Mahoney and alleges and states as follows:

**JURISDICTION**

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. §§ 101-7004 and the Oklahoma Bail Bond Code 59 O.S. §§ 1301-1340.

2. Respondent, Robert Scott Waugh ("Waugh") is a licensed bail bondsman in the State of Oklahoma holding license number 199606, formerly 800348.

**ALLEGATIONS OF FACT**

1. A comparison audit of the Rogers County Court Clerk's records and Waugh's monthly report to the Oklahoma Insurance Department ("Department")

revealed three bonds executed by Waugh on July 7, 2008 in case NF 08-606, CF-08-335 (2 counts) were not reported to the Department as required by statute, 59 O.S. § 1314. The Department sent notice to Waugh via certified mail ordering him to report the bonds by January 15, 2009. Waugh failed to report the bonds by the date ordered, nor were renewal fees submitted for the bonds.

### **ALLEGED VIOLATIONS OF LAW**

1. Conduct by Waugh as alleged is in violation of 59 O.S. §§ 1310(A)(22), 1314(B), and OAC 365:25-5-36 by failing to file a report reflecting every bond written.
2. Conduct by Waugh as alleged is in violation of 59 O.S. § 1314(D) by failing to pay the "renewal" fee on every bond written.
3. Conduct by Waugh as alleged is a violation of 59 O.S. § 1310(A)(21) by failing to respond to a properly addressed notification from the Insurance Commissioner.

### **FINDING**

The above allegations are true and Respondent has violated 59 O.S. §§ 1310(A)(22)(21), 1314(B)(D), and OAC 365:25-5-36.

### **ORDER**

**THEREFORE Respondent Robert Scott Waugh is CENSURED AND FINED \$300.00 due and payable to the Oklahoma Insurance Department within 30 days of receipt of this Order.** Respondent is further ordered to report the bonds and pay the renewal fee for those bonds. Respondent is further notified that Respondent may

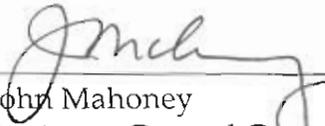
request a hearing within 30 days of the receipt of this Order concerning this action and upon such request the Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to John Mahoney, Oklahoma Insurance Department, Legal Division, Post Office Box 53408, Oklahoma City, Oklahoma 73152-3408 and state the basis for requesting the hearing. If the Respondent fails to pay the fine and fails to report the bonds and pay the appropriate reviewal fee or request a hearing within 30 days of receipt of this Order the State is ordered not to renew, reinstate, or issue a new license to Respondent until he complies with the terms of this Order.

Further, if Respondent does not request a hearing within the 30 days allotted this Order shall be a **FINAL ORDER** on the 31<sup>st</sup> day following the receipt of the Order. Respondent may request a court reporter to be present at and record the hearing concerning the emergency action. All costs associated with the court reporter shall be borne by Respondent.

WITNESS My Hand and Official Seal this 6<sup>th</sup> day of May 2009.



KIM HOLLAND  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

  
\_\_\_\_\_  
John Mahoney  
Assistant General Counsel  
Post Office Box 53408  
Oklahoma City, Oklahoma, 73152-3408

(405) 521-2746

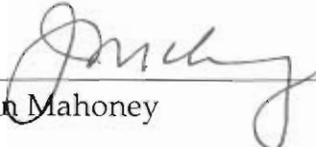
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing Order was mailed certified, return receipt requested on this 6th day of ~~April~~ <sup>May</sup>, 2009 to:

Robert Waugh  
Post Office Box 27305  
Tulsa, Oklahoma 74149-0305

and that a copy was delivered to:

Robert Noll, Director  
Bail Bond Division

  
\_\_\_\_\_  
John Mahoney