

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. KIM )  
HOLLAND, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
B. WYATT ENTERPRISES, LLC, )  
a resident licensed title producer, )  
 )  
Respondent. )

**FILED**  
APR 03 2009  
INSURANCE COMMISSIONER  
OKLAHOMA  
Case No. 09-0463-DIS

**ADMINISTRATIVE ORDER OF SUSPENSION INSTANTER**

COMES NOW the State of Oklahoma, ex rel. Kim Holland, Insurance Commissioner, and alleges and states as follows:

**JURISDICTION AND AUTHORITY**

1. Kim Holland is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.*
2. Respondent is licensed by the State of Oklahoma as a resident title producer firm holding license number 14172. Its address of record is 800 Wall Street, Norman, Oklahoma 73069.
3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Producer Licensing Act and/or may levy a civil penalty of \$100.00 to \$1,000.00 for each violation of the Producer Licensing Act. 36 O.S. § 1435.13(A).

4. If the Insurance Commissioner finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding 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. B. Wyatt Enterprises LLC's Articles of Incorporation state that the primary purpose for which the company was formed "is to provide title insurance and to conduct any and all related business transactions necessary in providing such service". The management of B. Wyatt Enterprises LLC is vested solely in Brenda Kay Wyatt. Respondent is currently not appointed with any title insurance companies.

2. Alliance Title Services is not a licensed resident title producer firm in the State of Oklahoma. Alliance Title Services is also located at 800 Wall Street, Norman, Oklahoma 73069. B. Wyatt Enterprises LLC and Alliance Title Services LLC are operated by the same individual, Brenda Kay Wyatt, from the same address, and the two companies are essentially each other's alter ego.

3. Numerous improprieties were recently discovered in the business practices of Alliance Title Service during an audit by American Guaranty Title Insurance Company, including the disappearance of approximately \$600,000.00 from the escrow account.

4. American Guaranty Title Insurance Company complained to the Oklahoma Insurance Department regarding Alliance Title Services business improprieties. American Guaranty's audit showed that two of Alliance's escrow checks failed to clear in the amounts of \$366,827.50 and \$121,267.09. Further, Alliance Title

Services had failed to remit funds in the amount of \$233,699.15, which was a portion of the \$318,913.80 received from Valliance Bank as loan funding, to First Bank to pay a seller's mortgage.

5. According to American Guaranty, Valliance Bank contacted Alliance Title Services regarding the unremitted funds and was told that the money was simply "gone".

6. A default judgment in the millions of dollars was recently entered in favor of Anadarko Bank & Trust Company (*Anadarko Bank & Trust Company v. Anthony E. Aguilar; Brenda Kay Wyatt; Complicated Limited Liability Company; B. Wyatt Enterprises, LLC, et. al.*, Oklahoma County Case No. CJ-2009-896), and a receiver was appointed for property described therein, further evidencing the financial irresponsibility of B. Wyatt Enterprises LLC and its owner, Brenda Wyatt.

#### **CONCLUSIONS OF LAW**

B. Wyatt Enterprises LLC has violated 36 O.S. § 1435.13(A)(8) by using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in Oklahoma.

#### **ORDER**

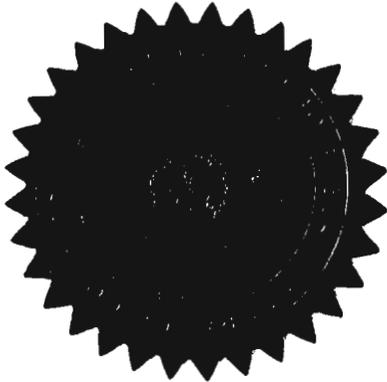
**IT IS THEREFORE ORDERED** by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated 36 O.S. § 1435.13(A)(8) and has thereby placed the welfare of the public at risk. In accordance with 75 O.S. § 314(C)(2) and OAC § 365:1-7-9, Respondent's license is suspended effective immediately.

Respondent may request a hearing be held regarding this emergency action. OAC 365:1-7-9(a). Such request for hearing shall be received within thirty (30) days from the date of receipt of this order. A request for hearing shall be made in writing

addressed to Julie Delluomo, Assistant General Counsel, Oklahoma Insurance Department, Post Office Box 53408, Oklahoma City, Oklahoma 73152-3408. Upon such request for hearing, the Insurance Department shall conduct the hearing within ten (10) days of receipt of the request.

An independent hearing examiner shall conduct the hearing. Respondent may have a court reporter transcribe the proceedings and Respondent shall be responsible for the costs. If Respondent fails to request a hearing within the required period of time, Respondent's producer license shall be revoked thirty days (30) days from the date of receipt of this order.

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



  
KIM HOLLAND  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

**CERTIFICATE OF MAILING**

I, Julie Delluomo, hereby certify that a true and correct copy of the above and foregoing Administrative Order of Suspension Instanter was mailed by certified mail with postage prepaid and return receipt requested on this 6<sup>th</sup> day of April, 2009, to:

B. Wyatt Enterprises, LLC  
800 Wall Street  
Norman, Oklahoma 73069

**CERTIFIED MAIL NO.**

**7006 0810 0002 6164 1891**

and that notification was sent to:

NAIC/RIRS

and that a copy was delivered to:

Leah Scoles  
Agents Licensing Division

Rick Wagnon  
Investigations/Anti-Fraud Division

  
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Julie Delluomo