

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

OCT 17 2014

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)

Petitioner,)

vs.)

Case No. 14-0887-DIS

DESIREE BROOKS, a licensed bail bondsman)
in the State of Oklahoma,)

Respondent.)

ADMINISTRATIVE ORDER

This matter is a disciplinary proceeding under the Oklahoma Bail Bond Act. The Oklahoma Insurance Department (the "Department") issued a Notice of Hearing and Order to Show Cause on September 22, 2014, alleging that Respondent Desiree Brooks ("Brooks" or "Respondent") violated numerous provisions of the Bail Bond Act.

The hearing was set before the undersigned Hearing Examiner for October 9, 2014.

Petitioner appeared through Counsel Dan R. Byrd on October 9, 2014. Respondent failed to appear. Petitioner offered proof to support the proper service upon Respondent by certified mail at the Respondent's current address of record with the Department. Petitioner offered proof to support the allegations of fact and alleged violations of law contained in the Notice of Hearing and Order to Show Cause.

JURISDICTION

1. John D. Doak 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. §§ 101-7301, and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1340.

2. Respondent is a licensed bail bondsman in the State of Oklahoma holding license number 100164605.

3. The Insurance Commissioner may deny, censure, suspend, revoke, or refuse to renew any license issued pursuant to the Oklahoma Bail Bond Act and/or may levy a fine of not less than \$250.00 but not more than \$2,500.00 for each occurrence of a violation of the Oklahoma Bail Bond Act. 59 O.S. § 1310(A) and (B).

FINDINGS OF FACT

1. Respondent failed to file her July 2014 Seneca Insurance Company and July 2014 International Fidelity Insurance Company surety reports with the Oklahoma Insurance Department (“Department”), which were due Friday, August 15, 2014.

2. On August 18, 2014, Department staff sent an email to Respondent regarding the failure to file the reports.

3. As of this date, the reports have not been filed with the Department.

4. This is Respondent’s third failure to file.

CONCLUSIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(24) for failing to file a report as required by Section 1314.

2. Respondent has violated 59 O.S. § 1314(B), which states that “monthly reports shall be submitted electronically to the Insurance Commissioner by the fifteenth day of each month.”

3. Pursuant to 59 O.S. § 1310(B), “any person violating any provision of Sections 1301 through 1340 of this title may be subject to a civil penalty of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each

occurrence.”

ORDER

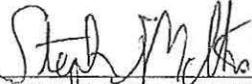
Petitioner’s testimony offered at hearing support the Allegations of Fact and Alleged Violations of Law in the Notice of Hearing and Order to Show Cause as true and correct.

IT IS THEREFORE ORDERED that Desiree Brooks is **FINED** Two Hundred-Fifty Dollars (\$250.00) and her bail bondsman license is **SUSPENDED** pending payment of the FINE of Two Hundred-Fifty Dollars and costs of the hearing.

IT IS FURTHER ORDERED that Desiree Brooks is assessed the costs of the hearing in the amount of Two Hundred Dollars (\$200.00), due and payable to the Oklahoma Insurance Department within thirty (30) days after the date of hearing.

WITNESS My Hand and Official Seal this 15th day of October, 2014.





STEPHAN S. MATHIS
INDEPENDENT HEARING EXAMINER
OKLAHOMA INSURANCE DEPARTMENT

CERTIFICATE OF MAILING

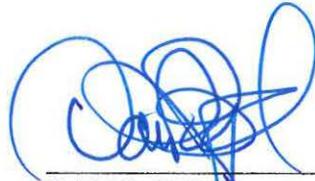
I, Dan R. Byrd, hereby certify that a true and correct copy of the above and foregoing Administrative Order was mailed via certified mail with return receipt requested, and via regular mail, on this 17th day of October, 2014, to:

Desiree Brooks
400 W. 6th St.
Okmulgee, OK 74447-5000

CERTIFIED MAIL NO:

and that a copy was delivered to:

Bail Bonds Division



DAN R. BYRD
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 522-6330
Fax (405) 522-0125

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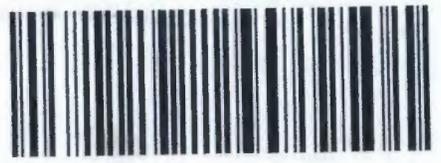


Total Postage
 Sent To
 Street, Apt. No.
 or PO Box No.
 City, State, ZIP

Desiree Brooks
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 Okmulgee, OK 74447-5000
 sms/14-0887-DIS/Admin Ord

PS Form 3800, August 2006 See Reverse for Instructions

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2

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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

0205 8856 1000 0510 4102

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Desiree Brooks
 400 W. 6th Street
 Okmulgee, OK 74447-5000
 sms/14-0887-DIS/Admin Ord

2. Article Number
 (Transfer from service label)

7014 0150 0001 9588 5020

PS Form 3811, February 2004

Domestic Return Receipt

102596-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name)
 C. Date of Delivery

D. Delivery address different from Item 1? Yes
 No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT
 OCT 28 2014
 Legal Division