

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

JUL 31 2015

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
ROBERTA AGUILAR, a licensed Bail)
Bondsman in the State of Oklahoma,)
)
Respondent.)

Case No. 15-0631-DIS

CONDITIONAL ADMINISTRATIVE ORDER
AND NOTICE OF RIGHT TO BE HEARD

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, by
and through counsel, and alleges and states as follows:

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 199461.

FINDINGS OF FACT

1. Pursuant to 59 O.S. § 1314(B) and OAC 365:25-5-36, each bail bondsman is required
to submit electronically filed monthly reports to the Oklahoma Insurance Commissioner
("Commissioner") within fifteen (15) days after the end of each preceding month. Said reports must
be filed electronically with the Commissioner.

2. February, 2015, monthly bail bond reports were due to be filed with the Commissioner by Monday, March 16, 2015. On or about March 17, 2015, Respondent untimely filed her February 2015 Professional bail bondsman report with the Insurance Commissioner.

3. March, 2015, monthly bail bond reports were due to be filed with the Commissioner by Wednesday, April 15, 2015. On or about April 16, 2015, Respondent untimely filed her March 2015 Professional bail bondsman report with the Insurance Commissioner.

4. April, 2015, monthly bail bond reports were due to be filed with the Commissioner by Friday, May 15, 2015. On or about May 16, 2015, Respondent untimely filed her April 2015 Professional bail bondsman report with the Insurance Commissioner.

CONCLUSIONS OF LAW

1. The allegations are found to be true and correct, and Respondents have violated 59 O.S. § 59 O.S. § 1310(A)(2) and (24), 59 O.S. § 1314(B) and OAC 365:25-5-36, by failing to timely file her February 2015, March 2015 and April 2015 monthly Professional Bail Bondsman reports.

2. Pursuant to 59 O.S. § 1310(B), any bondsman violating a provision of the Bail Bond Act, 59 O.S. §§ 1301-1340, may be subject to a fine of not less than \$250 but not more than \$2,500 per violation.

3. The Respondent plainly has a system to file the reports each month, and has a record of filing them inexplicably and routinely one date late. It should be an easy monthly task for Respondent to adjust business procedures to file the reports one day earlier and avoid these type of disciplinary actions that is a waste of the Commissioner's time and scare resources.

ORDER

IT IS THEREFORE ORDERED that Respondent Roberta Aguilar is FINED Five Hundred Dollars (\$500.00). If the fine is not paid within thirty (30) days from receipt of this Conditional Administrative Order, Respondent's license will be suspended and will remain suspended until the fine is paid.

Respondents are further notified that they may request a hearing within 30 days of the receipt of this Conditional Administrative Order concerning this action, and upon such request, the Oklahoma Insurance Department shall conduct a hearing before an independent hearing examiner.

A request for hearing shall be made in writing to Kelley Callahan, Senior Attorney, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112, and **give a explanation of Respondents' actions alleged herein and any defenses thereto.** **If Respondents do not request a hearing within the 30 days allotted, this Conditional Administrative Order shall become a FINAL ORDER on the 31st day following Respondents' receipt of the Order.**

WITNESS My Hand and Official Seal this 31st day of July, 2015.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

KELLEY C. CALLAHAN
Senior Attorney
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405) 522-0125

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to Be Heard* was mailed certified, return receipt requested, on this 31st day of July, 2015, to:

Roberta Aguilar
121 N. Denver Ave.
Tulsa, Oklahoma 74103-1819

Certified Mail No.
7015 0640 0004 4933 8248



KELLEY C. CALLAHAN

7015 0640 0004 4933 8248

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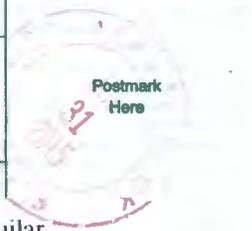
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Roberta Aguilar
121 N. Denver Ave.
Tulsa, Oklahoma 74103-1819
sms/15-0631-DIS/Cond Ord

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SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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:

Roberta Aguilar
121 N. Denver Ave.
Tulsa, Oklahoma 74103-1819
sms/15-0631-DIS/Cond Ord



9590 9403 0272 5155 1300 62

2. Article Number (Transfer from service label)

7015 0640 0004 4933 8248

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *[Signature]* Agent Addressee

B. Received by (Printed Name) *Steven Galbraith* C. Date of Delivery *8-3-15*

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

OKLAHOMA INSURANCE DEPARTMENT
AUG 06 2015
Legal Division

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PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt