

3. On December 3, 2015, Department staff sent Respondent an email and a letter, via certified mail, requesting that the funds be replaced and a service fee of Twenty-Five Dollar (\$25.00) be paid within five days of receipt of the letter.

4. On December 8, 2015, Department staff sent a second request to Respondent via email.

5. On December 14, 2015, Department staff sent a third request to Respondent via email.

6. On December 17, 2015, Respondent called the Department and stated that he would send a money order.

7. On January 8, 2016, Department staff emailed Respondent reminding him to send the money order.

8. As of today's date the funds have not been replaced.

9. Submitting an insufficient electronic funds transfer to the Department is a violation of 59 O.S. § 1310(A)(29). The Department charges a Twenty-Five Dollar (\$25.00) service fee on all insufficient funds.

ALLEGED VIOLATIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(29) by uttering insufficient funds to the Commissioner.

2. Respondent has violated 59 O.S. § 1310(A)(23) for failing to respond to a properly mailed notification within a reasonable amount of time.

3. Respondent has violated 59 O.S. § 1310(A)(2) by violating a law of this state relating

to bail.

4. 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

IT IS THEREFORE ORDERED that Delmer Phillips is **CENSURED** and **FINED** Five Hundred Dollars (\$500.00).

IT IS FURTHER ORDERED that Delmer Phillips shall replace the insufficient EFT and pay the service fee owed. The total amount owed to the Department in this case, independent of the fine ordered above, is Twenty Eight Dollars (\$28.00).

Respondent is further notified that he may request a hearing within thirty (30) days of the receipt of this 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 Dan R. Byrd, Oklahoma Insurance Department, Legal Division, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112, and **state the basis for requesting the hearing.**

If Respondent fails to request a hearing within thirty (30) days of receipt of this Order, this Order shall become a FINAL ORDER on the 31st day and the fine ordered herein shall be due.

If Respondent fails to replace the EFT and pay the service fee owed, Respondent’s license shall be SUSPENDED on the 31st day after receipt of this Order.

WITNESS My Hand and Official Seal this 14th day of January, 2016.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Dan R. Byrd", is written over a horizontal line.

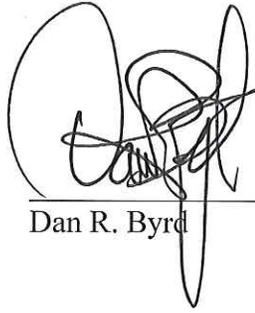
Dan R. Byrd
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 522-6330
Fax (405) 522-0125

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 14th day of January, 2016, to:

Delmer Phillips
101 N. Denver Ave., Ste. D
Tulsa, OK 74103-1819

**CERTIFIED MAIL NO:
7015 0640 0002 7406 5241**



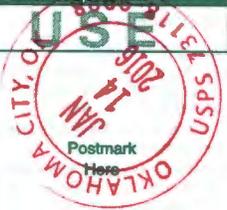
A handwritten signature in black ink, appearing to read 'Dan R. Byrd', is written over a horizontal line. The signature is stylized and cursive.

Dan R. Byrd

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE



Certified Mail Fee
 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
 \$ _____

Total Postage and Fees
 \$ _____

Sent To
 Delmer Phillips
 101 N. Denver Ave., Ste. D
 Tulsa, OK 74103-1819
 16-0033-DIS/DRB(mt)
 (Cond. Adm. Ord & Notice 1-14-16)

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0002 7406 5241

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:

Delmer Phillips
 101 N. Denver Ave., Ste. D
 Tulsa, OK 74103-1819
 16-0033-DIS/DRB(mt)
 (Cond. Adm. Ord & Notice 1-14-16)



9590 9403 0272 5155 0709 24

2. Article Number (Transfer from service label)
 7015 0640 0002 7406 5241

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Delmer Phillips* Agent Addressee

B. Received by (Printed Name)
Delmer Phillips

C. Date of Delivery
 1-26-16

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

OKLAHOMA INSURANCE DEPARTMENT

FEB 0 2016

3. Service Type

Adult Signature Priority Mail Express®

Adult Signature Restricted Delivery Registered Mail™

Certified Mail® Registered Mail Restricted Delivery

Certified Mail Restricted Delivery Return Receipt for Merchandise

Collect on Delivery Signature Confirmation™

Collect on Delivery Restricted Delivery Signature Confirmation Restricted Delivery

Insured Mail

Insured Mail Restricted Delivery

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

Domestic Return Receipt