

**BEFORE THE INSURANCE COMMISSIONER  
FOR THE STATE OF ARKANSAS**

ARKANSAS INSURANCE DEPARTMENT, )  
Petitioner )  
 )  
vs. )  
 )  
CHRISTOPHER J. KELLY )  
Respondent )

A.I.D. NO. 2013- 072

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**EMERGENCY SUSPENSION ORDER**

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On this day, the matter of Christopher J. Kelly (“Respondent”) came before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). The Arkansas Insurance Department (“Department”) is represented by Amanda Capps Rose, Associate Counsel, in this matter. From the facts and law before him, the Commissioner finds as follows:

**FINDINGS OF FACT**

1. Respondent holds Arkansas Resident Producer License No. 254955. Respondent’s address filed with the Department is 24 Club Road, Jacksonville, Arkansas 72076.
2. On September 25, 2012, it was reported to the Criminal Investigation Division of the Department that the Respondent that Mr. Kelly may have committed fraudulent insurance acts.
3. It is alleged that advances were given to the Respondent for each policy written. It is further alleged that during the period of August 11, 2011 through January 2, 2012 submitted multiple applications, each written for the maximum amount of coverage available.
4. The advances allegedly paid to the Respondent were, according to the party referring the case to the Criminal Investigation Division, deposited directly into the

Respondent's bank account. It is further alleged that Respondent used fictitious credit cards to effectuate the sale of policies during this period.

5. The allegation is that the all applications submitted by the Respondent during the referenced time period were declined.

6. Based on an investigation by the Criminal Investigation Division, at least thirty-two (32) of the consumers that allegedly obtained a policy through the Respondent during the referenced period never submitted an application or purchased coverage through the Respondent.

7. The public health, safety, and welfare imperatively require emergency action.

### CONCLUSIONS OF LAW

From the Findings of Fact contained herein, the Commissioner concludes as follows:

1. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Ark. Code Ann. § 23-61-103.

2. The Commissioner has the authority to issue an emergency license suspension pursuant to Ark. Code Ann. §§ 23-64-216(e) and 25-15-211(c).

3. Pursuant to the Arkansas Insurance Code, the Commissioner may suspend or revoke an insurance producer's license for using fraudulent or dishonest practices or demonstrating incompetence, untrustworthiness, or lack of good personal or business reputation; *See* Ark. Code Ann. § 23-64-512(a)(8).

4. It is a violation of Ark. Code Ann. § 23-64-223, it is a violation to appropriate funds received in a licensee's capacity as a licensee, or any portion thereof, to his own use, when the licensee was not lawfully entitled to the funds.

5. An administrative hearing will be promptly instituted upon the written request of the Respondent, which must be received within thirty (30) days of the date of this Emergency Suspension Order. If such a request is not received within said timeframe, the Respondent's

Arkansas Resident Producer License will be revoked and other administrative penalties and sanctions may be ordered.

6. The Commissioner and the Department reserve the right to amend the allegations, findings and conclusions set forth herein and further reserve the right to present additional allegations and evidence in any subsequent order or an administrative hearing.

**IT IS THEREFORE ORDERED:**

In consideration of the Commissioner's Findings of Fact and Conclusions of Law, the Respondent's Arkansas Resident Producer License No. 254955 is hereby immediately suspended.

**IT IS SO ORDERED THIS 1<sup>st</sup> day of August, 2013.**

  
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JAY BRADFORD  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS