

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

**IN THE MATTER OF THE ADMINISTRATIVE
HEARING TO APPEAL THE DEPARTMENT'S
DENIAL OF DIANA HERREN'S APPLICATION
FOR RESIDENT INSURANCE PRODUCER LICENSE**

AID NO. 2010- 007

ORDER

A hearing was held on January 12, 2010, in the hearing room of the Arkansas Insurance Department ("Department") in accordance with the provisions of the Arkansas Administrative Procedures Act and pertinent provisions of the Arkansas Insurance Code. William R. Lacy acted as the Hearing Officer pursuant to his designation as such by Jay Bradford, Insurance Commissioner, in accordance with Ark. Code Ann. § 23-61-103(e)(1). The Department was represented by Nina Samuel Carter, Associate Counsel. Diana Herren ("Appellant") represented herself and voluntarily waived her right to legal counsel.

FINDINGS OF FACT

1. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Ark. Code Ann. § 23-61-103.
2. Appellant is a resident of Corning, Arkansas.
3. Appellant submitted her Uniform Application for Arkansas Individual Resident Insurance Producer License on or about October 19, 2009.
4. On October 27, 2009, Fred Stiffler, Jr., Director of the Department's License Division advised the Appellant that her application was denied based on the fact that despite a bankruptcy, her credit report indicated some past due bills and advised the Appellant of her right to an administrative hearing to appeal the determination.

5. On October 30, 2009 the Appellant signed a letter requesting an administrative hearing.

6. The requested hearing was scheduled for January 12, 2010, and a Notice of Hearing was sent to the Appellant. The hearing was conducted on January 12, 2010, as scheduled.

CONCLUSIONS OF LAW

Based upon the above and foregoing Findings of Fact and the evidence before him, the Hearing Officer concludes as follows:

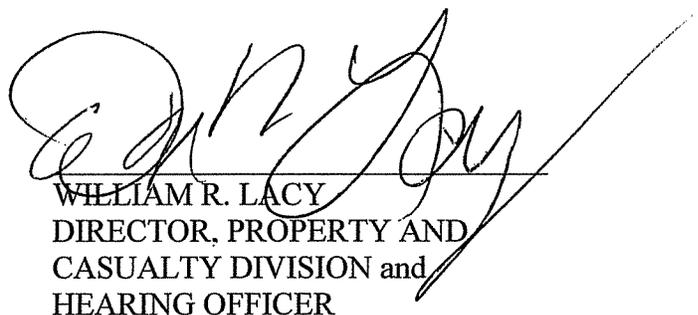
7. Based upon the evidence presented, the Appellant meets the requirement under Ark. Code Ann. § 23-64-506 of being financially responsible.

RECOMMENDATIONS OF THE HEARING OFFICER

WHEREFORE, based upon the foregoing Findings of Fact, Conclusions of Law, and other matters before him, the Hearing Officer recommends:

8. That the Department's denial of the Appellant, Diana Herren's, Application for an Arkansas Individual Resident Insurance Producer License be reversed.

9. That Appellant be promptly issued a permit to sit for the Arkansas Resident Producer's Examination.

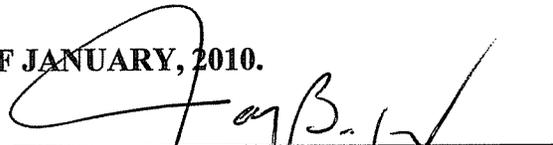

WILLIAM R. LACY
DIRECTOR, PROPERTY AND
CASUALTY DIVISION and
HEARING OFFICER

CERTIFICATION

I, Jay Bradford, Insurance Commissioner for the State of Arkansas, do hereby certify that the above Findings of Fact, Conclusions of Law, and Recommendations of the Hearing Officer were made by and under my authority and supervision by William R. Lacy, Director of the Property and Casualty Division and Hearing Officer in this proceeding. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommendations in full and enter this Order.

THEREFORE, it is hereby ORDERED that the Appellant shall be issued a permit to sit for the Arkansas Resident Producer's Examination.

IT IS SO ORDERED THIS 14 DAY OF JANUARY, 2010.



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS