

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

**IN THE MATTER OF
JOE MUNSON, LICENSE NO. 340972**

A.I.D. NO. 2011- 123

ORDER

A hearing was held at 11:00 a.m. on September 8, 2011 in the Hearing Room of the Arkansas Insurance Department in the matter of Joe Munson. The hearing was held before Interim Hearing Officer, William R. Lacy, (“Hearing Officer”) pursuant to his appointment by Commissioner Jay Bradford in accordance with Ark. Code Ann. § 23-61-103. The Arkansas Insurance Department (“Department”) was represented by Ashley Fisher, Associate Counsel. Mr. Munson failed to appear for the hearing.

FINDINGS OF FACT

From the facts before the Commissioner, it is found:

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

2. Respondent held a license in Arkansas as a resident producer agent. Respondent was licensed as a property, casualty, pre-paid legal, and surety agent. Respondent held Arkansas license number 340972. Respondent’s address of record at the Department is 1208 S. Walton Boulevard, Suite B., Bentonville, Arkansas 72712.

3. The Department received a complaint from an insured on February 4, 2011. The Consumer Services Division of the Arkansas Insurance Department. The

Complainant, S&W Cabin Rentals, alleged that they had been making monthly payments in the amount of \$5,425.25 to Joe Munson of Munson Clifton Holdings, LLC. They received a notice of cancellation on their policy the week prior to filing their complaint with the Department. They filed a previous complaint on January 6, 2011, on their personal home policy in which they had been making regular payment and similarly received a notice of cancellation. The complainant stated that they had tried to call Respondent for over 2 months and had left over 20 messages with no response. The Department sent and received a response from Northfield Insurance Company in which information was provided that they did not receive they payment timely from the agent. Notice of cancellation was sent and payment was subsequently received. The Department sent two notices of this complaint to Respondent with no response received from Respondent.

2. The Department received information from Argenia that Munson & Clifton Insurance Agency was delinquent on paying the account of Peck Windows, LLC. An Investigative Conference was scheduled for March 4, 2011, sent Certified Mail Return Receipt Restricted. The U.S. Postal Service showed that this item was delivered to your agency.

3. A Letter of Warning was issued to Respondent for failing to respond to Department correspondence pursuant to Ark. Code Ann. 23-64-512.

4. On June 30, 2011 further correspondence was sent to Respondent by the Legal Division requesting that Respondent respond within 15 days of our letter. It was

sent via certified mail and regular United States mail. It was additionally successfully transmitted via facsimile. No response was received.

5. A Notice of Hearing was sent to Mr. Joe Munson of Munson and Clifton Holdings, LLC on August 16, 2011 setting a hearing on September 7, 2011 at 11:00 a.m. An Updated Notice was sent certified and regular mail and successfully transmitted on August 29, 2011 rescheduling the hearing for September 8, 2011.

6. Respondent did not appear at the hearing.

CONCLUSIONS OF LAW

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

7. The Respondent is in violation of Ark. Code Ann. §23-64-216(a) (1) which provides that a license may be suspended or revoked for violation of any of the causes listed in Ark. Code Ann. § 23-64-512. In particular, Respondent is in violation of Ark. Code Ann. § 23 64-512(16) for refusing to be examined or to produce any accounts, records or files for examination and § 23 64-512(17) for failing to cooperate with the commissioner in an investigation when required by the commissioner.

8. The Respondent is in violation of Ark. Code Ann. § 23-64-512(a) (8), which provides that a license may be suspended or revoked for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere. By failing to correspond and cooperate with the Department, the Respondent has shown himself to be incompetent and untrustworthy to hold a license.

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:

9. That Respondent's Resident Producer License No. 340972 be revoked. Respondent shall not conduct the business of insurance until he has complied with the requirements in Ark. Code Ann. 23-64-217.



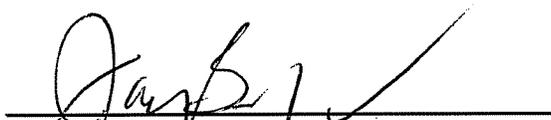
WILLIAM R. LACY
INTERIM GENERAL COUNSEL

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 William R. Lacy, Interim General Counsel, 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 Resident Producer License No. 340972 of Mr. Munson be revoked.

IT IS SO ORDERED THIS 7th DAY OF OCTOBER 2011.



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS