

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

ARKANSAS INSURANCE DEPARTMENT,)
Petitioner)
)
vs.)
)
MICHAEL R. VOLTS,)
Respondent)
)

A.I.D. NO. 2014-133

REVOCATION ORDER

On this day, the matter of Michael R. Volts (“Respondent”) came before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held on May 7, 2014 at 9:00 a.m. in the Hearing Room of the Arkansas Insurance Department (“Department”) pursuant to a Notice of Hearing dated April 7, 2014. The hearing was held before Deputy Commissioner and General Counsel, William R. Lacy (“Hearing Officer”), pursuant to his appointment by the Commissioner in accordance with Arkansas Code Annotated § 23-61-103. The Department was represented by Amanda J. Andrews, Associate Counsel, and Respondent did not appear at the hearing.

FINDINGS OF FACT

1. Respondent is a resident of Florida and holds Arkansas Non-Resident Producer License No. 403342.
2. When Respondent applied for an Arkansas Non-Resident Producer License, he stated on the application that he had not been convicted of or charged with committing a crime and had not been involved in an administrative proceeding involving a professional or occupational license.

3. Respondent submitted false information on the application for an Arkansas Non-Resident Producer License, in that he failed to disclose the following:

a. On February 5, 2010, a Statement of Claim was filed by AXA Advisors, LLC with FINRA Dispute Resolution requesting an award against Respondent in the amount of \$122,890.64 plus interest, costs and fees.

b. On August 18, 2006, Respondent entered a plea of no contest in Broward County, Florida to the charge of allowing a minor to discharge a firearm, and he was sentenced to take a gun safety course and pay costs in the amount of \$213.00.

4. In addition, from 2012 to 2014, a number of jurisdictions took administrative action against Respondent, including California, Colorado, Delaware, Michigan, Missouri, Oklahoma, Virginia, West Virginia and Wyoming, and Respondent's adjuster license was revoked in South Carolina. Respondent failed to disclose or timely disclose these administrative actions.

5. The Department properly served Respondent with the Notice of Hearing by sending the notice via regular United States Mail and Certified Mail to the addresses provided to the Department by Respondent. Respondent did not appear for the administrative hearing.

CONCLUSIONS OF LAW

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

6. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Arkansas Code Annotated § 23-61-103.

7. Arkansas law requires a licensee to report any administrative action taken against him in another jurisdiction or by another governmental agency in this state within thirty (30) days after the final disposition of the matter. Ark. Code Ann. § 23-64-517(a).

8. The Commissioner may revoke a producer's license for any one (1) or more of the following causes: providing incorrect, misleading, incomplete, or materially untrue information in the license application; violating a law of this or any state; using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, lack of good personal or business reputation, or financial irresponsibility; or having an insurance producer license or its equivalent denied, suspended, or revoked in any other state, province, district, or territory. Ark. Code Ann. § 23-64-512(a).

9. Respondent submitted false information on the application for an Arkansas Non-Resident Producer License, and administrative actions were taken against him in a number of jurisdictions. Respondent failed to disclose or did not timely disclose these actions to the Department, in violation of Arkansas law.

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:

Based upon the Respondent's misrepresentation and submission of false information on his application for an Arkansas Non-Resident Producer License and failure to disclose to the Department administrative actions against him in other jurisdictions, maintain a producer license in good standing in his home state and appear before the Department for the administrative hearing, all in violation of Arkansas law, I recommend that the Respondent's Arkansas Non-Resident Insurance Producer License, number 403342, be revoked.


WILLIAM R. LACY
DEPUTY COMMISSIONER
and HEARING OFFICER

IT IS HEREBY ORDERED:

Based upon the foregoing, the parties hereto agree that the Respondent's Arkansas Non-Resident License No. 403342 should be and hereby is immediately revoked.

IT IS SO ORDERED THIS 3rd DAY OF June, 2014.



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS