

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

ARKANSAS INSURANCE DEPARTMENT,)
Petitioner)
)
vs.)
)
FORREST R. LEAR,)
Respondent)

A.I.D. NO. 2012- 350

EMERGENCY SUSPENSION ORDER

On this day, the emergency matter of Forrest R. Lear (“Respondent”) came before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). The Arkansas Insurance Department (“Department”) was represented by Amanda J. Andrews, Associate Counsel. From the facts and law before the Commissioner, he finds as follows:

FINDINGS OF FACT

1. Respondent holds an Arkansas Resident Producer License, number 24093, and his mailing address is 388 Hwy 285N, Greenbrier, Arkansas.
2. On September 26, 2011 The Reliable Life Insurance Company (“Reliable”) notified the Department that Respondent was terminated for cause on the grounds that Respondent failed to remit premiums to Reliable.
3. On January 23, 2012, Reliable provided audit evidence to the Department proving a deficiency of premiums in the amount of \$5,045.75 on accounts serviced by the Respondent.
4. On March 1, 2012 the Department mailed a letter to the Respondent, both regular and certified mail, to Respondent’s mailing address requesting an explanation of the allegations

made by Reliable. The certified return receipt was signed by Haleigh Lear on March 3, 2012. The Respondent did not provide a response as required in the letter.

5. On April 5, 2012 the Department mailed a notice of Investigative Conference to be held on May 1, 2012, to the Respondent, by certified and regular mail. The certified mail was returned "unclaimed," but the notice sent by regular mail was not returned. Respondent did not appear for the Investigative Conference.

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. The Commissioner may suspend or revoke a producer's license for any one (1) or more of the following causes: Violating a law or regulation of the Insurance Commissioner; Improperly withholding, misappropriating, or converting any moneys or properties received in the course of doing insurance business; Using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, lack of good personal or business reputation, or financial irresponsibility; Failing to provide a written response after receipt of a written inquiry from the commissioner or his or her representative as to transactions under the license within thirty (30) days after receipt thereof unless the timely written response is knowingly waived in writing by the commissioner; Refusing to be examined or to produce any accounts, records, or files for examination; and Failing to cooperate with the commissioner in an investigation when required by the commissioner. Ark. Code Ann. §§ 23-64-512(a)(2), (4), (8), (13), (16), (17).

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

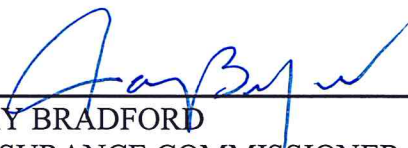
9. It is alleged that Respondent withheld or misappropriated premium money he collected from Reliable's customers. Respondent failed to provide the Department with a response to these allegations and failed to appear for an Investigative Conference.

10. For the public health, safety, and welfare of the people of this State, the Commissioner concludes that the Respondent's Arkansas Resident Producer License, number 24093, is immediately and summarily suspended pending an administrative hearing pursuant to Arkansas Code Annotated § 23-64-216(e). A Notice of Hearing will be sent to the Respondent simultaneously with this Order.

IT IS HEREBY ORDERED that:

Respondent's Arkansas Resident Producer License, number 24093, is hereby **SUSPENDED**. Respondent shall not, during the term of this suspension, conduct the business of insurance in the State of Arkansas.

IT IS SO ORDERED THIS 9th **day of May, 2012.**



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS