

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

ARKANSAS INSURANCE DEPARTMENT,)
Petitioner)
)
vs.)
)
ALBERT L. WILLIAMS,)
Respondent)

A.I.D. NO. 2012- 761

ORDER OF REVOCATION

On this day, the matter of Albert L. Williams (“Respondent”) came before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held at 9:00 a.m. on October 11, 2012 in the Hearing Room of the Arkansas Insurance Department (“Department”) pursuant to a Notice of Hearing dated September 21, 2012. The hearing was held before acting Chief Deputy Commissioner Lenita Blasingame (“Hearing Officer”), pursuant to her appointment by the Commissioner in accordance with Arkansas Code Annotated § 23-61-103. The Department was represented by Amanda J. Andrews, Associate Counsel.

FINDINGS OF FACT

1. Respondent holds Arkansas Resident Producer License Number 386823, and he is a resident of Judsonia, Arkansas.
2. On August 13, 2012, the Department received notice that Washington National Insurance Company terminated Respondent for cause. Specifically, Washington National asserted that Respondent created fictitious applications for insurance for individuals who did not exist and submitted them to the company.
3. On August 29, 2012, the Department mailed to Respondent a Notice of Investigative Conference for September 13, 2012. Due to a scheduling conflict, the Department

notified Respondent via telephone and electronic mail that the conference was rescheduled for September 17, 2012. Respondent agreed to the date change via telephone, but he did not appear at the conference.

4. On September 21, 2012, the Department mailed to Respondent a Notice of Hearing scheduling an administrative hearing on October 11, 2012. Respondent did not appear at the hearing.

5. The Department presented evidence that on or about March 16, 2012, Respondent generated and submitted three (3) separate insurance applications to Washington National for individuals who did not exist. Respondent also generated and submitted an insurance policy application to Washington National on or about July 20, 2012 for an existing customer who did not authorize Respondent to sign and submit an application for her.

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. It is unlawful for an agent to make a false or fraudulent statement or representation in an insurance application, and to present to an insurer false information as part of, in support of, or concerning a fact material to an insurance application. Ark. Code Ann. §§ 23-66-305; 23-66-501(4).

8. Respondent's failure to cooperate during a Department investigation is a violation of Arkansas Code Annotated § 23-64-216(a)(10).

9. The Commissioner may revoke a producer's license for any one (1) or more of the following causes: violating a law of this state; having admitted or been found to have committed

any insurance unfair trade practice or fraud; using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, lack of good personal or business reputation, or financial irresponsibility; forging another's name to an application for insurance; refusing to be examined or to produce any accounts, records, or files for examination; or failing to cooperate with the commissioner in an investigation when required by the Commissioner. Ark. Code Ann. § 23-65-512(a).

10. Respondent did not appear at the Investigative Conference or administrative hearing, and he repeatedly refused to cooperate with the Department in its investigation of his termination for generating and submitting fictitious insurance applications.

RECOMMENDATIONS OF THE HEARING OFFICER

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

11. Based upon Respondent's violation of Arkansas law, specifically, Arkansas Code Annotated §§ 23-64-216, 23-64-512(a), 23-66-305 and 23-66-501, his failure to appear at an administrative hearing, and the Department's evidence that Respondent created and submitted to an insurance company fictitious applications for insurance for individuals who did not exist, I recommend immediate revocation of Respondent's Arkansas Resident Producer License.


LENITA BLASINGAME
CHIEF DEPUTY COMMISSIONER 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 Lenita Blasingame, Chief Deputy Commissioner 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 Respondent's Arkansas Resident Producer License is revoked.

IT IS SO ORDERED THIS 10th DAY OF November, 2012.



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS