

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

**ARKANSAS INSURANCE DEPARTMENT,**     )  
**Petitioner**                                     )  
   )  
**vs.**   )  
   )  
**JAMES BURKS**             ,                     )  
**Respondent**                                     )  
   )

**A.I.D. NO. 2014- 049**

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**LICENSE DENIAL ORDER**

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On this day, the matter of James Burks (“Respondent”) came before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). The Arkansas Insurance Department (“Department”) is represented by Ava Franks, Associate Counsel, in this matter. From the facts and law before the Commissioner, he finds as follows:

**FINDINGS OF FACT**

1. On or about February 1, 2014, Respondent submitted an Application for Arkansas Individual Non-Resident Insurance Producer License (“application”) to the Arkansas Insurance Department.
2. Respondent did not disclose that Tennessee revoked his license on his application.
3. On December 20, 2013, the Department denied Respondent’s license application.
4. On or about January 27, 2014, Respondent submitted an appeal of the Department’s decision to the Department.
5. A hearing was scheduled for and held February 25, 2014.
6. Under oath, Respondent stated Tennessee did revoke his license.

**CONCLUSIONS OF LAW**

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

9. In order to obtain a producer's license in Arkansas, an individual must be deemed by the Commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation. Ark. Code Ann. 23-64-202.

10. The Commissioner may refuse to issue an insurance producer's license for any one (1) or more of the following causes: providing incorrect, misleading, incomplete, or materially untrue information on the license application, violating a law, and demonstrating a lack of good personal and business reputation. Ark. Code Ann. §23-64-512.

**RECOMMENDATION 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 misrepresentation on the application and the administrative action taken against him in his former home state, I recommend that the decision of the Director of the License Division to deny Respondent's Application for an Individual Non-Resident Insurance Producer License and a permit to sit for the Arkansas Producer's Examination should be affirmed.



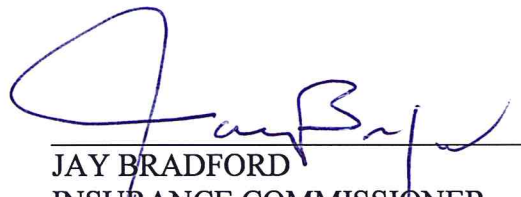
LENITA BLASINGAME  
CHIEF DEPUTY COMMISSIONER  
and HEARING OFFICER

**CERTIFICATION**

I, Jay Bradford, Insurance Commissioner for the State of Arkansas, do hereby certify 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 Recommendations in full.

THEREFORE, it is hereby ORDERED that the Respondent's Application for an Individual Non-Resident Insurance Producer License and permit to sit for the Arkansas Producer's Examination is denied.

IT IS SO ORDERED THIS 17<sup>th</sup> DAY OF March, 2014.

  
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JAY BRADFORD  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS