

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

**ARKANSAS INSURANCE DEPARTMENT,** )  
**Petitioner** )  
 )  
**vs.** )  
 )  
**JUSTIN MCKINNON,** )  
**Respondent** )

**A.I.D. NO. 2014-129**

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**REVOCATION ORDER**

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On this day, the matter of Justin McKinnon (“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 4, 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 Michigan and holds Arkansas Non-Resident Producer License No. 400857.
2. In 2013, Respondent was convicted of Second Degree Home Invasion, a felony, and when his employer discovered the conviction, Respondent was terminated for cause.
3. A number of jurisdictions took administrative action against Respondent because he failed to report the criminal conviction. Specifically, Respondent’s producer license was

revoked in California, Connecticut, Florida, Georgia, Iowa, Idaho, Kansas, Kentucky, Louisiana, Maine, Michigan, North Dakota, Nebraska, New Jersey, Ohio, Virginia, Washington and West Virginia, and several of these jurisdictions levied a monetary penalty against Respondent.

4. To date, Respondent has not disclosed the felony conviction or the aforementioned administrative actions to the Department.

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 criminal charge or plea in any court within thirty (30) days, and 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. §§ 23-64-201(e) and 23-64-517(a), (b).

8. The Commissioner may revoke a producer's license for any one (1) or more of the following causes: violating a law of this or any state; having been convicted of a felony; 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 failed to disclose to the Department a felony conviction in 2013 and administrative actions against him by eighteen (18) states, including his home state. Respondent does not have a producer license in good standing in his home state, and he is not permitted to hold a producer license in Arkansas.

**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 failure to disclose to the Department a felony conviction in 2013 and administrative actions against him by eighteen (18) states, including his home state, 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 400857, 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. 400857 should be and hereby is immediately revoked.

IT IS SO ORDERED THIS 3<sup>rd</sup> DAY OF June, 2014.

  
JAY BRADFORD  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS