

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

**IN THE MATTER OF  
JOHN PRESTON WILSON**

**A.I.D. NO. 2015- 047**

**CONSENT ORDER**

On this day, the matter of John Preston Wilson (“Respondent”) came before Allen Kerr, Arkansas Insurance Commissioner (“Commissioner”). The Arkansas Insurance Department (“Department”) is represented by Amanda Capps Rose, Associate Counsel, in this matter. From the facts and law before him, the Commissioner finds as follows:

**FINDINGS OF FACT**

1. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Ark. Code Ann. § 23-61-103.
2. Respondent holds an Arkansas Resident Producer License, National Producer Number 3950443, and is licensed to write property, casualty, surety, prepaid legal, life, and accident, health and sickness insurance.
3. On April 30, 2014, the Department received a complaint regarding the Respondent’s handling of a commercial property policy on Pawn City, with the named insured being the James Sandefur Johnson Estate.
4. On April 18, 2014, Pawn City was burglarized and the insured attempted, without success, to contact the Respondent to report the claim. Accordingly, the insured contacted the insurer’s claims department directly, but was informed that the policy had not been renewed in August 2013 as the insured had intended.
5. According to the insurer, Penn-Star Insurance Company (“Penn-Star”), the Respondent failed to respond to a renewal quote on more than one occasion.

6. In discussions with Penn-Star, the insured learned that a previous claim reported to the Respondent regarding a burglary on January 6, 2014 was never submitted to the insurer. Respondent later admitted settling that claim out of his own funds.

7. Following the April 18, 2014 burglary, the insured received correspondence dated April 23, 2014 from the Respondent. That correspondence stated that due to a lack of electrical or plumbing updates, the policy was being cancelled effective May 23, 2014. According to the insurer, however, the policy was not cancelled, but rather was not renewed by the Respondent. The Respondent failed to renew the policy despite the insured's payment of one thousand eight hundred ninety-five dollars and ninety-two cents (\$1,895.92) to the Respondent on August 9, 2013 for the purpose of renewing the commercial policy.

8. On October 22, 2014, the Respondent appeared for an Investigative Conference in the Department's Legal Division. During that conference, the Respondent admitted having paid the first claim out of his own pocket and also having failed to submit the renewal premium to Penn-Star.

9. Respondent has been made aware of his right to legal counsel and his right to an administrative hearing on this matter. Respondent has knowingly and voluntarily waived these rights.

### **CONCLUSIONS OF LAW**

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

10. Respondent lacks the trustworthiness, financial responsibility, and personal and business reputation required of licensees, which is grounds for license suspension or revocation pursuant to Ark. Code Ann. § 23-64-512(a)(8).

11. The failure of the Respondent to forward consumer premium payments to the appropriate insurer for payment of the premium for which the funds were intended is a violation

of Ark. Code Ann. § 23-64-223(a) and is grounds for the suspension or revocation of the Agency's license pursuant to Ark. Code Ann. §23-64-512(c).

12. For the protection of the people of this State, the Commissioner concludes that the Respondent's property, casualty, surety, and prepaid legal licenses should be revoked. Additionally, the Respondent's life and accident, health and sickness licenses should be placed on probationary status for one (1) year.

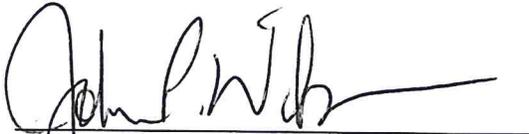
**IT IS THEREFORE ORDERED:**

1. In consideration of the Commissioner's Conclusions of Law, the Respondent knowingly and voluntarily agrees to allow the Department to immediately revoke his licenses to write property, casualty, surety, and prepaid legal insurance. Respondent further knowingly and voluntarily agrees to allow the Department to immediately place his life and accident, health and sickness licenses on probationary status for one (1) year from the date of this order.

IT IS SO ORDERED THIS 18<sup>th</sup> day of May, 2015.



ALLEN KERR  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS



JOHN PRESTON WILSON,  
RESPONDENT