

BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

RICKEY NELSON)
APPELLANT)
)
VS.)
)
ARKANSAS INSURANCE DEPARTMENT,)
RESPONDENT)

A.I.D. NO. 2015- 069

ORDER

On this day, the matter of Rickey Nelson (“Appellant”) came before Allen Kerr, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held on August 6, 2015, at the Arkansas Insurance Department pursuant to the request of Appellant to appeal the Department's decision to deny his application for an Arkansas Producer's License. The hearing was held before Chief Deputy Commissioner, Russ Galbraith, pursuant to his appointment by the commissioner in accordance with Ark. Code Ann. § 23-61-103. The Arkansas Insurance Department (“Department”) is represented by Gray Allen Turner, Associate Counsel, in this matter. From the facts and law before him, the Commissioner finds as follows:

FINDINGS OF FACT

1. Appellant is a resident of Morrilton, Arkansas. Appellant applied for an Arkansas Producer License on June 8, 2015. That application was denied on June 22, 2015 and Appellant requested an appeal hearing. A notice of hearing was

delivered on July 23, 2015, and Mr. Nelson signed a green card indicating he received the notice on July 24, 2015.

2. This matter came on for hearing on August 6, 2015. Appellant was not present and was not represented by counsel.

3. In 2010, Appellant was ordered to pay \$30.00 per week in child support. Appellant failed to make several payments and as of July 21, 2015, owed \$4499.72 in past due child support. Appellant had made no payments in 2015.

CONCLUSIONS OF LAW

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

1. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Ark. Code Ann. § 23-61-103.

2. Pursuant to Ark. Code Ann. § 23-64-506, in order to obtain a license an applicant must demonstrate that he is competent, trustworthy, financially responsible, and of good personal and business reputation.

3. Ark. Code Ann. §23-64-201 states that an insurance producer's license must be suspended if the producer is three or more months behind in support.

4. Based upon the evidence before the Hearing Officer, Appellant has not demonstrated that he is financially responsible.

RECOMMENDATION OF THE HEARING OFFICER

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

1. That the Department's denial of the Appellant's Application for an Arkansas Insurance Producer's License be upheld, and that the appeal is denied.



RUSS GALBRAITH
CHIEF DEPUTY INSURANCE
COMMISSIONER
AND HEARING OFFICER

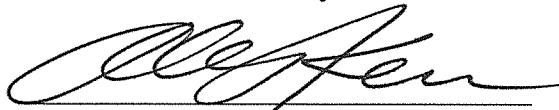
CERTIFICATION

I, Allen Kerr, 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 Russ Galbraith, Chief Deputy Insurance Commissioner and Hearing Officer in this proceeding. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommendation in full and enter this Order.

THEREFORE, it is hereby ORDERED that:

2. The Department's denial of the Appellant's Application for an Arkansas Insurance Producer's License be upheld, and the appeal is denied.

IT IS SO ORDERED THIS 21st day of August, 2015.



ALLEN KERR
INSURANCE COMMISSIONER
STATE OF ARKANSAS