

BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

BILLY WAYNE ALLEN)
APPELLANT)

VS.)

ARKANSAS INSURANCE DEPARTMENT,)
RESPONDENT)

A.I.D. NO. 2016- 065

ORDER

On this day, the matter of Billy Wayne Allen (“Appellant”) came before Allen Kerr, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held on May 10, 2016, 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 Benton, Arkansas. Appellant applied for an Arkansas Producer License. That application was denied on March 14, 2016, and Appellant made a timely request for an appeal hearing.
2. This matter came on for hearing on May 10, 2016. Appellant was present and waived his right to counsel.

3. An order from the Arkansas Securities Commission was entered into evidence. In the order, the Securities Commission found that the Appellant had violated its rules in that Appellant had borrowed money from clients and the money was not repaid. Appellant testified that, although he acknowledges that the Arkansas Securities Commission revoked his registration to sell securities, he does not agree with their findings.

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. Based upon the evidence before the Hearing Officer, the Appellant has not presented credible evidence that he has met the requirements of Ark. Code Ann. § 23-64-506.

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 the Appellant's application is denied.



RUSS GALBRAITH
CHIEF DEPUTY INSURANCE
COMMISSIONER
AND HEARING OFFICER

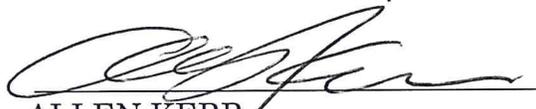
CERTIFICATION

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:

1. The Appellant's application for a producer's license is denied.

IT IS SO ORDERED THIS 7th day of July, 2016.



ALLEN KERR
INSURANCE COMMISSIONER
STATE OF ARKANSAS