

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

IN THE MATTER OF:

AID ORDER NO. 2017-34

**MATTHEW MCALISTER
RESPONDENT NPN 16435620**

REVOCATION ORDER

On this day, the matter of the producer's license of Matthew McAlister ("Respondent") came before Allen Kerr, Arkansas Insurance Commissioner ("Commissioner"). A hearing was held on March 17, 2017, in the First Floor Hearing Room of the Arkansas Insurance Department ("Department") pursuant to the Notice of Hearing dated February 6, 2017. The hearing was held before General Counsel and Deputy Commissioner Suzanne L. Tipton ("Hearing Officer") pursuant to her appointment by the Commissioner in accordance with Ark. Code Ann. § 23-61-103(e)(1). The Department was represented by Gray Allen Turner, Associate Counsel.

FINDINGS OF FACT

1. The Commissioner of Insurance has jurisdiction pursuant to the Arkansas Insurance Code, specifically Ark. Code Ann. §§ 23-60-101, *et seq.*
2. Respondent, Matthew McAlister, received notice of the hearing and participated in the hearing..
3. Respondent resides in Pulaski County, Arkansas.

4. On January 23, 2016, Respondent was driving his vehicle while intoxicated. Upon arriving at his duplex, he accidentally struck his neighbor's car, shoving the car into his neighbor's garage causing thousands of dollars in damage. When confronted by his neighbor and the police officer investigating the incident, the Respondent falsely denied driving the vehicle or causing the damage. The Respondent was arrested and charged with felony criminal mischief. Additionally, Respondent did not have the required liability insurance coverage on his vehicle at the time of the accident. Respondent pled guilty to felony criminal mischief on August 29, 2016, in Pope County Case CR16-132. He was sentenced to probation and ordered to pay restitution.

5. Respondent failed to inform the Arkansas Insurance Department within thirty days that he had been convicted of a felony.

6. Respondent failed to inform the Arkansas Insurance Department of his felony conviction on his November 30, 2016, producer renewal application.

CONCLUSIONS OF LAW

1. Ark. Code Ann. § 23-64-512(a)(1) authorizes the Department to revoke an insurance producer's license for "providing incorrect, misleading, incomplete, or materially untrue information in the license application." Respondent's actions were a violation of Ark. Code Ann. § 23-64-512(a)(1).

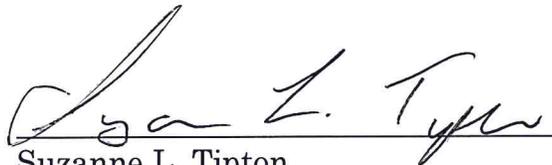
2. Ark. Code Ann. § 23-64-512(a)(6) authorizes the Department to revoke an insurance producer's license if they have been convicted of a felony. Respondent's actions were a violation of Ark. Code Ann. § 23-64-512(a)(6).

3. Ark. Code Ann. § 23-64-201 requires an insurance producer to report to the Arkansas Insurance Department within 30 days of being convicted of a felony. Respondent's actions were a violation of Ark. Code Ann. § 23-64-201.

RECOMMENDATION OF HEARING OFFICER

WHEREFORE, upon consideration of the evidence of record and the foregoing Findings of Fact and Conclusions of Law, the Hearing officer recommends the following:

1. That the Arkansas Insurance Resident Producer license of Respondent Matthew McAlister be revoked.



Suzanne L. Tipton
Deputy 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 Recommendation of the Hearing Officer were made by and under my authority and supervision in this proceeding by General Counsel and Deputy Commissioner Suzanne L. Tipton. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law and Recommendation in full, as set forth herein.

THEREFORE, it is hereby ORDERED that the Arkansas producer's license of Matthew McAlister, NPN 16435620, is revoked.

IT IS SO ORDERED THIS 14th DAY OF APRIL, 2017.



ALLEN KERR
INSURANCE COMMISSIONER
STATE OF ARKANSAS