

BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

IN THE MATTER OF:

AID ORDER NO. 2017- 047

RICKY BRADY
RESPONDENT

ORDER DENYING PRODUCER LICENSE APPLICATION

On this day, the matter of the application for a producer license of Ricky Brady (“Respondent”) came before Allen Kerr, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held on May 12, 2017, in the First Floor Hearing Room of the Arkansas Insurance Department (“Department”) pursuant to the Notice of Hearing dated May 2, 2017. The hearing was held before Chief Deputy Commissioner Russ Galbraith (“Hearing Officer”) pursuant to his 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. The Respondent was present and participated in the hearing.

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, Ricky Brady, received notice of the hearing and participated in the hearing..
3. Respondent resides in Benton County, Arkansas.
4. Respondent applied for an Arkansas resident insurance producer

5. Respondent submitted an Arkansas resident producer application to the Arkansas Insurance Department on April 9, 2014. His application was denied on April 19, 2017. Respondent filed a timely notice of appeal and requested a hearing.

6. On his producer application, Respondent included documentation from the State of Louisiana that he had a child support arrearage in the amount of \$39,466.

7. Respondent intentionally stopped making child support payments in 2009. At that time, his children were 17 and 15 years old.

8. Respondent is currently paying child support through an involuntary wage garnishment.

CONCLUSIONS OF LAW

1. Ark. Code Ann. § 23-64-512(a)(12) authorizes the Department to deny an application for an insurance producer's license if the applicant has failed to comply with an administrative or court order imposing a child support obligation.

2. Respondent failed to comply with a court order when he intentionally stopped making child support payments in 2009. He now has an arrearage of \$39,466. Respondent's actions were a violation of Ark. Code Ann. § 23-64-512(a)(12).

3. To obtain an insurance producer license an applicant must be "deemed by the commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation, and these qualifications must continue in

order to remain licensed." Ark. Code Ann. § 23-64-202(a)(2)(C)(i). Respondent's failure to comply with child support obligations demonstrate that he is not sufficiently financially responsible to be granted an insurance producer license.

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 application of Respondent Ricky Brady be denied.



Russ Galbraith
Chief Deputy Commissioner

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 by Russ Galbraith, Chief Deputy Commissioner and Hearing Officer in this proceeding. 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 license application of Ricky Brady is denied.

IT IS SO ORDERED THIS 13th DAY OF JUNE, 2017.



ALLEN KERR
INSURANCE COMMISSIONER
STATE OF ARKANSAS