

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

ARKANSAS INSURANCE DEPARTMENT)
PETITIONER)
)
VS.)
)
DARRICK LOWERY)
RESPONDENT)
NPN 17939369

A.I.D. NO. 2017- 086

REVOCATION ORDER

On this day, the matter of the producer’s license of Darrick Lowery (“Respondent”) came before Allen Kerr, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held on October 11, 2017, in the First Floor Hearing Room of the Arkansas Insurance Department (“Department”) pursuant to the Notice of Hearing dated September 13, 2017. The hearing was held before Deputy Commissioner and General Counsel Suzanne 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. The Respondent was present.

FINDINGS OF FACT

1. The Commissioner has jurisdiction pursuant to the Arkansas Insurance Code, specifically Ark. Code Ann. §§ 23-60-101, *et seq.*
2. Respondent resides in Lonoke County, Arkansas.
3. Respondent holds an Arkansas resident insurance producer license, National Producer Number 17939369.
4. Respondent was sent notice of hearing by regular and certified mail on September 13, 2017.

5. Respondent formerly held an Arkansas teaching license issued by the Arkansas Department of Education.

6. On September 10, 2015, the Arkansas State Board of Education issued the Respondent an admonishment and fined him \$50.00 for violations of the Arkansas Educators' Code of Ethics in Case No. 15-122.

7. Respondent applied for a Arkansas resident producer license on May 12, 2016. On his application, Respondent failed to disclose he had been admonished and fined by the State Board of Education in 2015.

8. Respondent applied for an exchange producer license on September 28, 2016. On his application, Respondent failed to disclose he had been admonished and fined by the State Board of Education.

9. Respondent applied for an adjuster license on February 10, 2017. On his application, Respondent failed to disclose he had been admonished and fined by the State Board of Education.

10. The Arkansas State Board of Education revoked Respondent's Arkansas educator license on March 9, 2017, for violations of the Arkansas Educators' Code of Ethics in Case No. 16-162. Specifically, Respondent's educator license was revoked because Respondent had sent several inappropriate text messages and a photograph to secondary students who attended the school where he was employed as a teacher and a coach.

11. Respondent submitted an Arkansas resident insurance producer license renewal on July 26, 2017. On this renewal, Respondent disclosed that his Arkansas educator license had been revoked. However, Respondent failed to attach a copy of the educator license revocation order or the charging instrument as required by the renewal application.

12. Respondent's Arkansas resident insurance producer license was suspended on September 7, 2017, in AID 2017-63.

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).

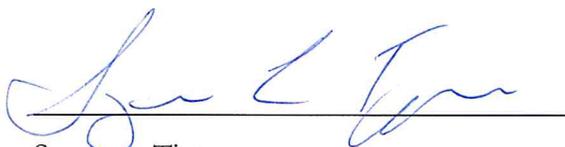
2. Ark. Code Ann. § 23-64-512(a)(8) authorizes the Department to revoke an insurance

producer's license for "lack of good personal or business reputation, or financial irresponsibility." Respondent's actions, as described in Arkansas Board of Education Orders No. 16-162 and No. 15-122, were a violation of Ark. Code Ann. § 23-64-512(a)(8).

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 non-resident insurance producer license of Respondent Darrick Lowery, NPN 17939369, be revoked.



Suzanne Tipton
Deputy Insurance 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 Suzanne Tipton, General Counsel 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 resident producer license of Darrick Lowery, NPN 17939369, be revoked.

IT IS SO ORDERED THIS 28th DAY OF Nov, 2017.



ALLEN KERR
INSURANCE COMMISSIONER
STATE OF ARKANSAS