

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

**IN THE MATTER OF:**

**CHARINDA KNAPP  
PETITIONER**

**A.I.D. NO. 2018- 113**

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**ORDER**

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On this day, the matter of the insurance producer license application of Charinda Knapp (“Petitioner”) came before Allen Kerr, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held on October 10, 2018, in the First Floor Hearing Room of the Arkansas Insurance Department (“Department”) pursuant to the Notice of Hearing dated September 28, 2018. 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 Petitioner was present.

**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. Petitioner, a resident of Lowell, Arkansas, applied for a resident producer license on August 7, 2018.
3. The Department denied Petitioner's application on August 28, 2018.

4. Petitioner timely requested a hearing as to the license denial on September 11, 2018.

5. Petitioner was sent a notice of hearing on September 28, 2018, to the address provided by the Department.

6. In 2016, Petitioner filed a police report alleging that her then husband had assaulted her. Her husband was arrested and briefly incarcerated. After a thorough review of a video recording of the incident, the charges against her husband were dismissed and Petitioner was charged with filing a false police report, a felony.

7. On March 30, 2017, Petitioner admitted she was guilty as charged and subsequently pled guilty to one charge of filing a false police report, a "D" felony, in Benton County Circuit Court Case No. 04CR-16-1664.

8. Petitioner's written explanation submitted as part of her insurance producer license application concerning the events that led to her guilty plea failed to acknowledge her guilt or culpability for the crime she committed.

### **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. To be licensed as an insurance producer, Ark Code Ann. § 23-64-506(c) states an applicant must be deemed by the commissioner "to be competent, trustworthy, financially responsible, and of good personal and business reputation."

3. The Petitioner's plea of guilty to filing a false police report calls into question her fitness to be a licensed insurance producer.

4. The Petition has not presented sufficient evidence that she meets the requirements to be a licensed insurance producer.

### **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 producer license application of the Petitioner 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 insurance producer license application of Charinda Knapp is denied.

IT IS SO ORDERED THIS 28<sup>th</sup> DAY OF Nov, 2018.

  
ALLEN KERR  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS