

BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

ARKANSAS INSURANCE DEPARTMENT)
PETITIONER)
VS.)
STANLEY BINKO)
RESPONDENT)

A.I.D. NO. 2018- 52

ORDER

On this day, the matter of the producer's license of Stanley Binko ("Respondent") came before Allen Kerr, Arkansas Insurance Commissioner ("Commissioner"). A hearing was held on March 21, 2018, in the First Floor Hearing Room of the Arkansas Insurance Department ("Department") pursuant to the Amended Notice of Hearing dated March 9, 2018 and sent by certified mail to the Respondents address. 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 not 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. Respondent applied for a Resident Producer License on January 9, 2018.
3. The Department denied Respondent's application on January 12, 2018.
4. Respondent timely requested a hearing as to the license denial.
5. Respondent was sent an amended notice of hearing by regular and certified mail on March 9, 2018, to the address provided to the Petitioner. The notice was returned as unclaimed to the Department on April 5, 2018.
6. Respondent has been convicted of several felonies, most recently of Possession of a Controlled Substance, Ark. Code Ann. § 5-64-420, on August 11, 2015, in Cleburne County Circuit Court.

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. Respondent failed to attend the hearing as to the denial of his producer license application and has not met his burden of proof to be issued a 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 producer license application of the Respondent 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 resident producer license application of Stanley Binko, is denied.

IT IS SO ORDERED THIS 2nd DAY OF MAY, 2018.



ALLEN KERR
INSURANCE COMMISSIONER
STATE OF ARKANSAS