

BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

IN THE MATTER OF:

AID ORDER NO. 2018-69

NICHOLAS HASTINGS
NPN 16768426
RESPONDENT

REVOCATION ORDER

On this day, the matter of the producer's license of Nicholas Hastings ("Respondent") came before Allen Kerr, Arkansas Insurance Commissioner ("Commissioner"). A hearing was held on May 23, 2018, in the First Floor Hearing Room of the Arkansas Insurance Department ("Department") pursuant to the Notice of Hearing sent May 10, 2018. The hearing was held before Chief Deputy Commissioner and Hearing Officer 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 did not appear.

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, Nicholas Hastings, was sent a notice of hearing on May 10, 2018, by regular and certified mail to the last known address he provided to the Department.

3. Respondent resides in Garland County, Arkansas.

4. The following evidence was admitted into the record and considered by the hearing officer: (1) Designation of Hearing Officer, (2) Notice of hearing sent May 10, 2018, (3) Notice of Investigative Conference, (4) a consumer complaint, (5) Hastings' reply to a consumer complaint, (6) a consumer complaint, (7) Hastings' reply to a consumer complaint, (8) a consumer complaint, (9) a reply from McGee Insurance Agency

5. Based on the testimony and the evidence presented, the Hearing Officer makes the following findings of fact:

a. Respondent Nicholas Hastings is a licensed Arkansas insurance producer.

b. The Department received several complaints alleging Respondent failed to cancel policies in a timely manner, that he had failed to refund unearned premiums, and that he had falsely claimed to be employed by his former insurance agency.

c. The Department sent Respondent, by certified and regular mail, a request to attend an investigative conference to be held December 7, 2017. Respondent failed to accept the certified letter and did not attend the conference.

d. The Respondent did not attend the May 23, 2018, administrative hearing after being sent proper notice.

CONCLUSIONS OF LAW

1. Respondent, after receiving proper notice, failed to attend an investigative conferences and failed to attend the administrative hearing. Respondent's actions were a violation Ark. Code Ann. § 23-64-512(a)(17) that requires a producer to cooperate with the commissioner in an investigation when required to do so by the commissioner.

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 of Respondent Nicholas Hastings be revoked.



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 Chief Deputy Commissioner Russ Galbraith, 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 of Nicholas Hastings be revoked.

IT IS SO ORDERED THIS 22nd DAY OF JUNE, 2018.



ALLEN KERR
INSURANCE COMMISSIONER
STATE OF ARKANSAS