

BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

ARKANSAS INSURANCE DEPARTMENT)
PETITIONER)

VS.)

LUIS ALVAREZ)
RESPONDENT)
NPN 17598037)

A.I.D. NO. 2019- 63

REVOCATION ORDER

On this day, the matter of the producer's license of Luis Alvarez ("Respondent") came before Allen Kerr, Arkansas Insurance Commissioner ("Commissioner"). A hearing was held on July 2, 2019, in the First Floor Hearing Room of the Arkansas Insurance Department ("Department") pursuant to the Notice of Hearing dated June 6, 2019. The hearing was held before William R. Lacy, Arkansas Insurance Department Compliance Manager ("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 is a resident of Rogers.

3. Respondent holds an Arkansas resident producer license, NPN 17598037.

4. Respondent was sent notice of hearing by regular and certified mail to his last known address provided to the Department.

5. In March of 2019, the Department received a complaint alleging Respondent had been terminated for engaging in fraudulent activity, namely, embezzlement.

6. The Respondent, in a notarized affidavit, admitted to the theft of consumer premium in the amount of \$9,452.48, from his employer, an insurance agency.

7. The Respondent signed a promissory note agreeing to repay the funds he misappropriated. He has failed to make regular payments as agreed to.

8. The Department mailed a written inquiry to Respondent via certified mail, but he did not respond to the inquiry or have any communication with the Department.

CONCLUSIONS OF LAW

1. Ark. Code Ann § 23-64-512(a)(4), forbids an insurance producer from "[i]mproperly withholding, misappropriating, or converting any moneys or properties received in the course of doing insurance business." Respondent's actions were a violation of § 23-64-512(a)(4).

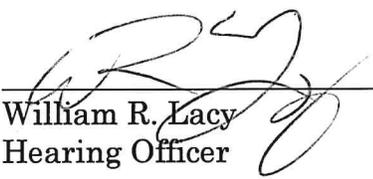
2. Ark. Code Ann. § 23-64-512(a)(17) requires an insurance producer to cooperate in an investigation by the Commissioner. Respondent's actions were a violation of § 23-64-512(a)(4).

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 resident insurance producer license of the Respondent be revoked.

2. That the Respondent make full restitution to Arkansas Insurance Alliance as agreed to in the February 21, 2019, promissory note.



William R. Lacy
Hearing Officer

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 William Lacy, 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:

1. The Arkansas producer license of Luis Alvarez, NPN 17598037, is revoked.
2. The Respondent shall make full restitution to Arkansas Insurance Alliance as agreed to in the February 21, 2019, promissory note.

IT IS SO ORDERED THIS 26th DAY OF Aug, 2019.



ALLEN KERR
INSURANCE COMMISSIONER
STATE OF ARKANSAS