

**BEFORE THE STATE FIRE MARSHAL  
A DIVISION OF THE MISSISSIPPI INSURANCE DEPARTMENT  
FOR THE STATE OF MISSISSIPPI**

**IN RE:           DRAVEN LEGRANDE STALLINGS  
                  Class D – Alarm System Salesperson  
                  License No. 10674001**

**FINAL ADMINISTRATIVE ORDER**

**THIS CAUSE** came on for hearing on Tuesday, March 2, 2021, at 10:00 a.m. CST before the Commissioner of Insurance / State Fire Marshal for the State of Mississippi, by and through his specially designated appointee, the Hon. Mark Lampton (hereinafter “Hearing Officer”), via teleconference hearing, pursuant to Notice of Hearing dated February 5, 2021. Having received notice of the hearing, the Respondent, Draven LeGrande Stallings, appeared via telephone and participated in the hearing. Phillips Strickland, Senior Attorney for the Mississippi Insurance Department, represented the Mississippi State Fire Marshal’s Office. The State called one witness, Mississippi State Fire Marshal Deputy Brad Davis, and introduced several items of documentary evidence. The Respondent also testified at the hearing. Based upon the documentary evidence and testimony, and upon the recommendation given by the Hearing Officer, the Commissioner makes the following Findings of Fact and Conclusions of Law, to-wit:

**I. AUTHORITY**

*Miss. Code § 73-69-25 (Penalties)* provides that the State Fire Marshal may impose penalties for violations of the Mississippi Electronic Protection Licensing Act (*Miss. Code § 73-69-1, et. seq.*) Different classes of violations and levels of penalties are set forth in *Miss. Code § 73-69-23 (Offenses)* and *Miss. Code §73-69-25 (Penalties)*. It is alleged in the Notice of Hearing that the Respondent engaged in “false misleading or deceptive acts or practices while engaging

in the business of residential electronic protection”, which would be a Class III offense, subject to a separate potential penalty for each violation, including any or all of the following: written reprimand; probation of licensure for not more than 12 months; suspension of licensure for not more than 24 months; a fine of not more than \$5,000; and revocation of licensure.

## **II. NOTICE AND HEARING**

On or about February 5, 2021, the State Fire Marshal, through his attorney, pursuant to *Miss. Code § 73-69-25*, gave the required notice to the Respondent of the intention to hold a hearing for the purpose of reviewing the status of Respondent's Privilege License to operate as a Class D Alarm System Salesperson in the State of Mississippi, and to potentially revoke any current license the Respondent may hold and/or to impose a civil penalty. The Respondent received the Notice of Hearing, providing notice of an administrative hearing to be held on Tuesday, March 2, 2021 at 10:00 a.m. CST via teleconference pursuant to Miss. Admin. Code Title 19 (Dept. of Insurance), Part 1, Chapter 44 (Administrative Hearing Procedures Specific to COVID-19). The USPS Tracking information accompanying the Notice of Hearing reflects delivery on February 11, 2021. Furthermore, on March 2, 2021, at the date, time and place of the hearing, the Respondent appeared telephonically and participated in the hearing, and acknowledged that he received the Notice of Hearing, understood the alleged charges against him, understood that he had a right to an attorney, and expressed that he was prepared and wished to go forward without an attorney representing him. Furthermore, because the State Fire Marshal's contact information for the Respondent was out of date, it was confirmed with Respondent that he prefers to receive further information relating to these proceedings at his email address of [draven.stallings21@gmail.com](mailto:draven.stallings21@gmail.com), and that his new mailing address was confirmed as 228 North Stage Crest Circle, Washington, UT 84780.

### III. FINDINGS OF FACT

**AFTER CONSIDERING** all of the evidence presented, using the standard of proof of “clear and convincing evidence”, the State Fire Marshal makes the following Findings of Fact:

(1) Respondent, Draven LeGrande Stallings, is licensed with the Mississippi State Fire Marshal’s Office, as a Class D Alarm System Salesperson, having license no. 10674001. In October 2020, Respondent was employed by Alder, LLC, an alarm contracting company based out of Orem, Utah. In the period including October 23-25, 2020, Respondent was in the Starkville, Mississippi area going door to door to make sales pitches for Alder, LLC alarm systems. Respondent has since separated from his employment with Alder, LLC, and at the time of the hearing was not an employee with any company selling alarm systems. It is noted that no notice of the change of employment was provided to the State Fire Marshal’s Office, although *Miss. Code § 73-69-11(6)* requires that the State Fire Marshal be notified within 10 days of any separation from an employer or change in employer.

(2) Several reports / complaints were made by residents in the Starkville, Mississippi area, including, but not limited to, the following persons:

(a) Nan Gillis – Reported to the Starkville Police Department that Respondent went to her door attempting to sell a home security system. During the sales pitch, Respondent represented that he worked for Alder and was working with the fire chief and had worked to secure grant money in order to install a system “for free”. After installing the system, Respondent obtained Ms. Gillis’ bank information in order to set up monthly payments. Furthermore, Officer Jarvis with Starkville Police Department confirmed with the Fire Department that Respondent was not in fact working with the fire chief, and that there was no “grant” as described by Respondent. In Respondent’s testimony at the hearing, he admitted that there was no grant with the Fire Department, and alleged he was referring to a

senior citizens discount. Based on the evidence presented, I find that the statements by Respondent to Nan Gillis were false and misleading.

(b) Judy Loftin – Reported an incident with Respondent to the Starkville Police Department and filed a Sworn Statement of Facts. Ms. Loftin, who had an existing security system with Security Solutions, stated in her Sworn Statement of Facts that the Respondent “said he was with Security Solutions and wanted to see my alarm”. The incident with Ms. Loftin was on video tape with audio, and based on a review of the video, Respondent did not actually say he was with Security Solutions, however, he did clearly create that impression without actually saying it. Specifically, Respondent stated:

*“The reason I came by here today is because Security Solution put an alarm system in here about 10 years ago . . . . My job has been, we’ve had some issues up the road here with the crime, a couple of homes have been broken into and some trucks have been stolen. They are having me go around and make sure that all the security is adequate in the neighborhood. I just need to take a quick look at the panel they put in.”*

*“There has been some break-ins in the neighborhood, and they are having me check all the systems to make sure they are working properly.”*

The Respondent never stated whom he worked for. His reference to Security Solutions’ system, and his repeated statement that “they” sent him, is intentionally vague and reasonably intended to leave Ms. Loftin with the impression that he worked for Security Solutions. Furthermore, during Respondent’s testimony, he clarified that no one had actually sent him due to crime in the area, and that his knowledge of the crime was simply derived by talking to other residents. His true purpose for the house call, i.e. that he wanted to sell her a system with Alder, LLC, was never disclosed to Ms. Loftin. I find that Respondent’s conduct during the sales call to Judy Loftin was in fact misleading and deceptive.

(c) Additional reports were made by other residents in the area alleging that Respondent was making misleading statements. Some of the other residents are Tamilla Hayes (Respondent “implied” he worked for Security Solutions and ADT); Maxine Baird (Respondent would not say who he worked for but specifically mentioned that her alarm was installed by Security Solutions); Emily Schultz (neighbor of Maxine Baird; Respondent falsely told her Ms. Baird was updating her system). Little weight is being placed on these other more cursory reports, however, the simple fact that other persons are reporting problems with Respondent being deceptive, combined with the more concrete examples of misleading behavior exhibited to Nan Gillis and Judy Loftin, evidence a pattern of deceptive acts and practices.

(4) In his testimony at the hearing, Respondent clarified that he no longer works for Alder, LLC, is presently not employed with an alarm contracting company, and expressed that he does not plan to pursue further alarm systems sales work in Mississippi. Respondent denied ever implying that he worked for Security Solutions or ADT. He gave his account of the sales incidents with Nan Gillis and Judy Loftin. He advised that he was going door to door, making note of the alarm system sign a person would have in their yard, and then would ask to enter the house to look at their alarm system. With regard to the Judy Loftin incident, Respondent admitted that he used the term “they”, rather than clearly identifying his employer, Alder, LLC. Respondent admitted that no one sent him there because of crime in the area, and that he simply put together information about local crime after speaking to other neighbors.

Respondent further asserted that it would be impossible not to know who employed him because he wears a shirt that clearly says “Alder” or “Alder Home Protection” on the left breast. He also asserted that the screen saver on his computer pad says “Alder” on it. Respondent’s assertion in this regard is contradicted by the video of the incident at Judy Loftin’s house, which

clearly shows that there was no name or other emblem on Respondent's shirt to identify his employer. Furthermore, observing Respondent's handling of the computer pad during the video, it is unreasonable to assume that a screen saver (which was not on his screen or observable by Judy Loftin at any time during their contact) would be adequate to clarify whom he worked for. Respondent in no way clarified whom he worked for, verbally or otherwise, and chose words to create the misleading impression that he had been sent by Judy Loftin's current security system provider, Security Solutions.

#### **IV. CONCLUSIONS OF LAW**

**IN LIGHT OF THE AFOREMENTIONED** Findings of Fact, the State Fire Marshal finds that Respondent, Draven LeGrande Stallings, has committed the following violation:

That the Respondent, Draven LeGrande Stallings, has violated the provisions of *Miss. Code § 73-69-23(3)(f)* by engaging in false, misleading or deceptive acts or practices while engaging in the business of residential electronic protection.

#### **V. JUDGMENT**


**IT IS, THEREFORE, ORDERED** that the CHARGE set forth in the Notice of Hearing alleging a violation of *Miss. Code § 73-69-23(3)(f)* is hereby **SUSTAINED**.

**IT IS ORDERED**, that the privilege license of Respondent, Draven LeGrande Stallings, having license no. 10674001, to act as a Class D Alarm System Salesperson in the State of Mississippi, should be and hereby is **REVOKED**, effective immediately.

**IT IS FURTHER ORDERED** that an administrative fine should be and hereby is imposed against the Respondent, Draven LeGrande Stallings, in the amount of \$500.00, which is due and payable to the Mississippi State Fire Marshal's Office, effective immediately.

Should the Respondent wish to appeal the Order of the Commissioner, he may follow the procedure set forth in *Miss. Code § 73-69-33*.

SO ORDERED, this the 21 day of March, 2021.

  
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**MIKE CHANEY**  
**COMMISSIONER OF INSURANCE**  
**STATE OF MISSISSIPPI**

Prepared by:

  
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**MARK LAMPTON**  
**HEARING OFFICER**  
**Special Assistant Attorney General**