

**BEFORE THE MISSISSIPPI INSURANCE DEPARTMENT
FOR THE STATE OF MISSISSIPPI**

**IN RE: Jeffrey Andrews
 Resident Insurance Producer
 License No. 308756**

FINAL ADMINISTRATIVE ORDER

THIS MATTER came on for hearing before the Commissioner of Insurance for the State of Mississippi (“Commissioner”), by and through his specially designated appointee, the Hon. Kim Causey (hereinafter “Hearing Officer”), via teleconference on Tuesday, April 5, 2022, at 10:00 a.m. CST, pursuant to a Notice of Hearing dated March 1, 2022. Having received notice of the hearing via certified mail, the Respondent, Jeffrey Andrews, failed to appear via telephone and did NOT participate in the hearing.

Attorney Phillips Strickland represented the Mississippi Insurance Department (“MID”) at the hearing. The State introduced twelve (12) items of documentary evidence and called two witnesses, Sharon Womack, Investigator, Mississippi Insurance Department, and Kathy Pickard, Rate Evasion Major Case Analyst, National General Insurance Company. 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. § 83-17-71(1) (Supp. 2021) states that the Commissioner may place on probation, suspend, revoke or refuse to issue or renew an insurance producer’s license or may levy a civil penalty in an amount not to exceed One Thousand Dollars (\$1,000.00) per violation.

Miss. Code. § 83-17-71(1)(d) (Supp. 2021) prohibits improperly withholding, misappropriating or converting any monies or properties received in the course of doing insurance business.

Miss. Code. § 83-17-71(1)(e) (Supp. 2021) bars the act of intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance.

Miss. Code. § 83-17-71(1)(h) (Supp. 2021) proscribes using fraudulent, coercive or dishonest practices or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

Miss. Code. § 83-17-71(1)(j) (Supp. 2021) prohibits the forging of another's name to an application for insurance or to any document related to an insurance transaction.

II. FINDINGS OF FACT

AFTER CONSIDERING all of the evidence presented, using the standard of proof of “clear and convincing evidence”, the Commissioner of Insurance makes the following Findings of Fact:

(1) On or about March 1, 2022, the Commissioner, through his attorney, gave the required notice to the Respondent of the intention to hold a hearing for the purpose of reviewing the status of Respondent's Resident Insurance Producer license in the State of Mississippi, and to potentially revoke any current license the Respondent may hold and/or to impose a civil penalty. (State's Exhibit S-12)

(2) The Respondent received the Notice of Hearing, providing notice of an administrative hearing to be held on Tuesday, April 5, 2022 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 March 8, 2022. (State's Exhibit S-11)

(3) Evidence presented at hearing shows that on March 7, 2020, Albany Berry sent a complaint in the form of an email to Sharon Womack, an Investigator with MID, concerning Respondent. Womack testified that Berry's complaint states that on November 11, 2019, she paid Respondent two hundred and fifty six dollars (\$256) as a premium payment for automobile insurance. Berry's complaint stated that she was pulled over by law enforcement and could not produce proof of insurance because she had not received an insurance card in the mail. Berry contacted Respondent and went to his office on December 18 and after waiting several minutes, received her insurance cards. After receiving a letter from the insurance company, Bristol West, Berry was able to login to her account, but only by using an email address that was not hers, atika.andrews@yahoo.com. Upon logging in, Berry saw that she did not have coverage on November 11, 2019 and only showed a payment of \$122.30 on December 18th, the day Berry went to Respondent's office. Berry also noticed that her policy listed a spouse, Billy Berry, who she did not know. (State's Exhibit S-1) (Womack Testimony)

(4) Investigator Womack further testified at hearing that on March 10, 2021, William Johnson submitted a complaint form to MID concerning Respondent. Johnson complained that on March 9, 2021 he received a bill in the mail from Allstate agent Jeff Andrews (Respondent) that stated he owed two hundred and two dollars and fifty-eight cents (\$202.58). Johnson stated that he has never talked to and does not know Jeff Andrews. (State's Exhibit S-2) (Womack)

(5) Finally, Womack testified that her office was contacted by Calandria Coleman on April 15, 2020. Coleman also filed a complaint against Respondent, claiming that March 19, 2020 she paid three hundred and ten dollars (\$310) for full coverage insurance on her new car. Coleman complained that she was told that she paid for full coverage through National General Insurance Company ("NGIC"), but instead received an insurance policy in the mail from Allstate, was not for full coverage, was for the wrong vehicle, and listed her as married when she

has never been married. Upon calling NGIC, Coleman was told that Respondent only paid NGIC sixty-nine dollars and forty-six cents (\$69.46). (State's Exhibit S-3) (Womack)

(6) In light of the facts found in the record taken together as a whole, the testimony of MID Investigator Womack was found credible. (S-1), (S-2), (S-3), (Womack)

(7) Kathy Pickard, Rate Evasion Major Case Analyst, National General Insurance Company testified at hearing that they were made aware of a number of Respondent's customers that made premium payments to Respondent that were larger than the amounts actually paid to her employer, NGIC. This led to a review of Respondent's book of business with NGIC. This reviewed showed instances where Respondent would submit the required down payment but then do a draft correction and only apply one dollar (\$1). Pickard testified that there were also cases where Respondent utilizes his agency business address and the customer's address and the email address on multiple policies showed Respondent's personal email instead of the customer's. A few other cases showed that Respondent manipulated the dates of birth for some customers to get a lower rate for customers. Pickard stated that the spreadsheet in State's Exhibit S-5 list the policies where Respondent used his personal email and agency address instead of customer's. The spreadsheet also lists policies where Respondent used his agency draft account to apply the down payment and then reversing the payment and applying a dollar. Pickard testified that at the time, NGIC was not sending out cancellation notices due to the COVID-19 cancellation moratorium so in these cases, coverage was provided for some periods of time for which NGIC did not receive payment. Due to the findings of the investigation, NGIC terminated Respondent's appointment on May 4, 2020. (S-5) (Pickard Testimony)

(8) In light of the facts found in the record taken together as a whole, the testimony of NGIC Investigator Pickard was found credible. (S-5), (Pickard)

III. CONCLUSIONS OF LAW

IN LIGHT OF THE AFOREMENTIONED Findings of Fact, the Commissioner of Insurance for the State of Mississippi finds that Respondent, Jeffrey Andrews, has committed the following violations:

Respondent violated the provisions of *Miss. Code. § 83-17-71(d), (e), and (h) (Supp. 2021)* when they did misappropriate a premium payment from a potential insurance client, Albany Berry, and did not forward these premiums to an insurance company and did not procure automobile insurance for the consumer until almost a month later, on December 18, 2019. In procuring insurance for the consumer through Bristol West, Respondent misrepresented the terms of the application by listing a fictional spouse for the consumer in an attempt lower the quoted rate.

Respondent violated the provisions of *Miss. Code § 83-17-71(1)(h) & (j) (Supp. 2021)* when they did submit an insurance application and procure insurance coverage with Allstate on behalf of an individual, William Johnson, without their knowledge or consent.

Respondent violated the provisions of *Miss. Code § 83-17-71(1)(d), (e) & (h) (Supp. 2021)* when they did submit a falsified insurance application and procure fraudulent coverage with Allstate on behalf of a potential insured, Calandria Coleman.

IV. JUDGMENT

IT IS, THEREFORE, ORDERED that:

CHARGE 1 set forth in the Notice of Hearing and Statement of Charges alleging the violation of *Miss. Code. § 83-17-71(1)(d), (e) & (h) (Supp. 2021)* is hereby **SUSTAINED**.

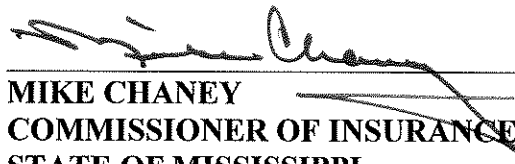
CHARGE 2 set forth in the Notice of Hearing and Statement of Charges alleging the violation of *Miss. Code § 83-17-71(1)(h) & (j) (Supp. 2021)* is hereby **SUSTAINED**.

CHARGE 3 set forth in the Notice of Hearing and Statement of Charges alleging the violation of *Miss. Code § 83-17-71(1)(d), (e) & (h) (Supp. 2021)* is hereby **SUSTAINED**.

IT IS ORDERED, that the privilege license of Respondent, **Jeffrey Andrews**, having license no. **308756**, to act as a Resident Insurance Producer in the State of Mississippi, should be and hereby is **REVOKED**, effective immediately.

It is noted that should the Respondent wish to appeal the Order of the Commissioner, he may follow the procedure set forth in § 83-17-83 of the *Mississippi Code of 1972, as Amended*.

SO ORDERED, this the 12th day of April, 2022.



MIKE CHANEY
COMMISSIONER OF INSURANCE
STATE OF MISSISSIPPI

Recommended by:



KIM CAUSEY
HEARING OFFICER