

**STATE OF MISSISSIPPI
OFFICE OF THE COMMISSIONER OF INSURANCE**

COMMISSIONER OF INSURANCE

PETITIONER

VS.

CAUSE NO. 011-6255

VICTOR SAVAGE

RESPONDENT

ORDER

THIS CAUSE came on for hearing before the Commissioner of Insurance of the State of Mississippi, sitting in a special session in the offices of the Commissioner of Insurance of the State of Mississippi, 10th Floor, Woolfolk State Office Building, 501 North West Street, Jackson, Hinds County, Mississippi on Wednesday, July 6, 2011 at 10:00 a.m. on the Notice of Hearing and Statement of Charges filed against Victor Savage ("Respondent"), to hear evidence concerning said complaint. Having received notice of the hearing, the Respondent appeared and gave testimony. Kimberly Causey, Special Assistant Attorney General, represented the Department. Hearing Officer Robert Perkins took testimony and accepted evidence in this matter. Based upon the 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:

STATEMENT OF CHARGES

That the Respondent was charged with the following violations of law in the Notice of Hearing and Statement of Charges issued May 5, 2011:

- Miss. Code Ann. §83-17-71(1)(a) (Supp. 2010) by providing incorrect, misleading, incomplete or materially untrue information in an application for an insurance producer's license.

NOTICE AND HEARING

I.

That on or about May 5, 2011, the Commissioner of Insurance of the State of Mississippi, or his appointee, pursuant to Miss. Code Ann. § 83-17-71, gave the required notice to the Respondent of the Commissioner's intention to hold a hearing for the purpose of reviewing the status of Respondent's Privilege License to operate as an Insurance Producer in the State of Mississippi, and to revoke any current producer licenses the Respondent may hold.

II.

That said Notice of Hearing and Statement of Charges was sent to Respondent by certified mail, return receipt requested, in accordance with Miss. Code Ann. § 83-17-71, at the address Respondent provided to the Licensing Division of the Mississippi Department of Insurance. Respondent did sign for the certified mail containing the Notice of Hearing on May 13, 2011.

III.

That pursuant to said Notice, a hearing was scheduled before the Commissioner of Insurance of the State of Mississippi, for 10:00 a.m., on Wednesday, June 6, 2011. Prior to that date, Respondent requested a continuance which was granted by the Commissioner. The matter was reset for July 6, 2011, at which time the Respondent did appear and testify.

FINDINGS OF FACT

AFTER CONSIDERING all of the evidence presented, the Commissioner of Insurance makes the following Findings of Fact:

IV.

The Respondent did admit under oath that on or about January 1, 2008, he did answer in his

Uniform Application for Resident Individual Insurance Producer's License application "No" to the question "Have you ever been convicted of, had a judgment withheld or deferred, or are you currently charged with, committing a crime?". Respondent admitted that he had been convicted of Aggravated Promotion of Prostitution, a felony, by the Harris County, Texas Criminal Court in 1984. The Respondent admitted to not disclosing this information, but he testified the failure was not willful.

CONCLUSIONS OF LAW

IN LIGHT OF THE AFOREMENTIONED Findings of Fact, the Commissioner of Insurance finds that Respondent, Victor Savage, has committed the following violation:

V.

That the Respondent has violated the provisions of Miss. Code Ann. §83-17-71(1)(a) (Supp. 2010) by providing incorrect, misleading, incomplete or materially untrue information in an application for an insurance producer's license in the commission of the acts that have been more particularly described herein in Paragraph IV. of this Order.

ORDER

IT IS, THEREFORE, ORDERED that the charge previously filed herein against the Respondent should be and the same are hereby sustained.

IT IS FURTHER ORDERED, the Respondent is hereby placed on probation for the remainder of his licensure period, which shall end on December 31, 2011. Any violations committed by Respondent during this probationary period could result in the revocation of the privilege license

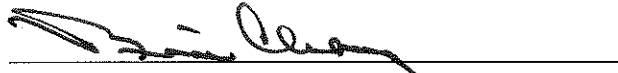
of Respondent to act as an insurance producer in the State of Mississippi.

IT IS FURTHER ORDERED, the Respondent shall receive an administrative penalty of \$1000.00 for his violation of Miss. Code Ann. § 83-17-71(1)(a). Said administrative penalty must be paid within sixty (60) days of the date of this Order. Failure to pay the penalty will result in the revocation of the privilege license of the Respondent.

The Department has determined that Respondent's felony conviction is not one that would require him to apply for a 18 U.S.C. § 1033 waiver.


Should the Respondent wish to appeal the Order of the Commissioner, he may follow the procedure set forth in Miss. Code Ann. § 83-17-83.

SO ORDERED, this the 15th day of July, 2011.



MIKE CHANEY
COMMISSIONER OF INSURANCE
STATE OF MISSISSIPPI

Report and Recommendation Submitted by:



ROBERT PERKINS
HEARING OFFICER