



## MISSISSIPPI INSURANCE DEPARTMENT

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MIKE CHANEY  
 Commissioner of Insurance  
 State Fire Marshal

MARK HAIRE  
 Deputy Commissioner of Insurance

RICKY DAVIS  
 State Chief Deputy Fire Marshal

September 8, 2017

### SENT VIA CERTIFIED MAIL TO:

Mr. Willie McClain  
 902 Parkway Avenue  
 Greenwood, Mississippi 38930

And

Mr. Willie McClain  
 807 W. Washington Street  
 Greenwood, MS 38930

### ALSO SENT VIA ELECTRONIC MAIL TO:

williemcclain1958@gmail.com

**Re: NOTICE OF DENIAL of Limited Lines Insurance Producer License Renewal Application – Limited Lines Insurance Producer License #: 7134**

Mr. McClain:

Please be advised that the Mississippi Insurance Department (“Department”) has carefully reviewed and considered your renewal application for a Limited Lines Insurance Producer License in the State of Mississippi. The Department hereby advises you that your application has been **DENIED**.

In your renewal application, which was received by the Department on July 11, 2017, you answered “No” to the question “Have you been convicted of a felony[?]” However, our investigation resulted in a finding that on September 14, 2005, an Order Granting Petition for Adjudication of Guilt was signed in the Circuit Court of Grenada County, Mississippi, against Willie McClain on the charge of Felony False Pretense. Our investigation also found that your 2013 and 2015 Limited Lines Insurance Producer applications also included an answer of “No” to the same or similar question on whether you had been convicted of a felony. The false statements on your 2013, 2015, and 2017 applications that you had not been convicted of a felony constitute incorrect and materially untrue information on your applications, and also constitute an attempt to obtain a license through misrepresentation or fraud.

Miss. Code Ann. § 83-17-71(1)(Supp. 2016), provides, in part, that the Commissioner of Insurance may refuse to issue or renew an insurance producer’s license for:

- a) Providing incorrect, misleading, incomplete or materially untrue information in the license application;

- ...
- c) Obtaining or attempting to obtain a license through misrepresentation or fraud.

Further, one of our Investigators spoke to you over the phone on August 21, 2017. In that phone conversation, you admitted to writing insurance policies that fall outside the scope of your Limited Lines Insurance Producer License and submitting related insurance applications under the Agent ID# of another Licensed Mississippi Insurance Producer. Your act of writing said insurance policies and submitting said insurance applications violates Miss. Code Ann. § 83-17-41 which states, in part, that no producer or solicitor "shall attempt to write any type of business or seek a brokerage commission on a type of business for which he is not properly licensed and authorized[.]" These actions also constitute fraudulent or dishonest practices.

Miss. Code Ann. § 83-17-71(1)(Supp. 2016), provides, in part, that the Commissioner of Insurance may refuse to issue or renew an insurance producer's license for:

- b) Violating any insurance laws, or violating any regulation, subpoena or order of the commissioner or of another state's commissioner.
- ...
- h) Using fraudulent, coercive or dishonest practices or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.


Pursuant to Miss. Code Ann. § 83-17-71(2)(Supp. 2016), you are entitled to a formal hearing before this Department regarding your application for an Insurance License. If you desire a formal hearing, you must send your demand for hearing to this Department within ten (10) days. Your request for a hearing must be in writing. Upon receipt of your written demand for formal hearing, it will be scheduled and held within 30 days.

Please feel free to contact me if you have any questions regarding this matter and your written response should be directed to my attention.

Sincerely,

MIKE CHANEY  
COMMISSIONER OF INSURANCE

BY

  
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Daniel Bradshaw  
Senior Attorney

cc: Octavius Sample, Investigator  
Investigations/Consumer Protection Division