

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

**IN THE MATTER OF BRENDA LEE LLOYD:  
ACTION AGAINST INSURANCE PRODUCER  
LICENSE NO. 10181681**

**FINDINGS AND ORDER**

**THIS CAUSE** came on for hearing before the Commissioner of Insurance of the State of Mississippi (hereinafter "Commissioner"), by and through his specially designated appointee (hereinafter "Hearing Officer"), in the Office of the Commissioner, 10th Floor, Woolfolk State Office Building, 501 North West Street, Jackson, MS 39205, on Wednesday, August 7, 2013, at 9:30 a.m., pursuant to a Notice of Hearing and Statement of Charges served on Brenda Lee Lloyd on or about July 25, 2013. The Commissioner, by and through the designated Hearing Officer, Mr. Brandon White, having heard and considered all of the testimony and evidence produced by the parties herein, makes the following findings:

**Authority**

The hearing herein was held pursuant to the provisions of Miss. Code Ann. § 83-17-71, *et seq.* (Rev. 2011), providing for the licensing of insurance producers by the Mississippi Insurance Department (MID) and providing for disciplinary actions against producers.

**Notice and Hearing**

1. A notice of hearing was served upon Ms. Lloyd on July 25, 2013. Exhibit S-1.
2. Pursuant to said notice, a hearing was held at 9:30 a.m., on August 7, 2013.
3. Based upon an investigation conducted by Mr. Octavius Sample, MID Investigator, and material supplied by American General Life and Accident Insurance Company, Ms. Lloyd was charged with violating the provisions of Miss. Code Ann. §83-17-71(1) (h) (Rev. 2011), by using fraudulent and/or dishonest practices or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state by failing to ask or accurately record information on an application when the agent submitted an application stating that the potential policyholder "walks with a slight limp" when medical records showed that the applicant's leg was amputated below the right knee. Also, Respondent failed to note on the application her relationship to the applicant, namely that they were siblings. Exhibit S-2 and Exhibit S-4.
4. Brenda Lee Lloyd did not appear at the hearing.

### Findings of Fact

1. The Mississippi Insurance Department was notified that Ms. Lloyd's appointment was terminated with American General Life and Accident Insurance Company based upon a letter and complaint received October 8, 2012. Hereafter referred to as "Complaint". Exhibit S-3.
2. The Complaint detailed Ms. Lloyd's alleged acts of improper business practices, by failing to ask or accurately record information on an application when the agent submitted an application stating that the potential policyholder "walks with a slight limp" when medical records showed that the applicant's leg was amputated below the right knee. Also, Respondent failed to note on the application her relationship to the applicant, namely that they were siblings. Exhibit S-2.

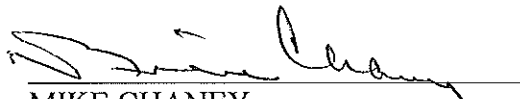
### Conclusions of Law

1. The Commissioner has jurisdiction over this matter pursuant to Miss. Code Ann. § 83-17-71, *et seq.* (Rev. 2011 ), providing for the licensing of insurance producers by the Mississippi Insurance Department and specifically providing for disciplinary actions against producers.
2. MID gave proper notice of the hearing and has fulfilled all relevant substantive and procedural requirements of law or rule.
3. The standard of proof for an administrative agency to revoke or restrict a license is "clear and convincing". *Hogan v. Mississippi Bd. of Nursing*, 457 So2d 931, 934 (Miss. 1984).
4. Miss. Code Ann. §83-17-71(1) (Rev. 2011) provides 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" for "(h) Using fraudulent, coercive or dishonest practices or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere".
5. Regarding the charges of under this code section Ms. Lloyd clearly demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state by failing to ask or accurately record information on an application when the agent submitted an application stating that the potential policyholder "walks with a slight limp" when medical records showed that the applicant's leg was amputated below the right knee. Also, Respondent failed to note on the application her relationship to the applicant, namely that they were siblings thereby violating the provisions of Miss. Code Ann. §83-17-71(1) (h) (Rev. 2012). Exhibit S-2.
6. Said violations subject Ms. Lloyd to the various disciplinary actions set forth in Miss. Code Ann. § 83-17-71 (Rev. 2011).

Order

**IT IS ORDERED** that the insurance producer license of Brenda Lee Lloyd be hereby revoked for twelve (12) months from the date of this hearing (August 7, 2013) for violation of the provisions of Miss. Code Ann. §83-17-71(1) (h) (Rev. 2012).

**SO ORDERED**, this the 16 day of October, 2013.

  
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MIKE CHANEY  
COMMISSIONER OF INSURANCE

Submitted by:

  
\_\_\_\_\_  
BRANDON WHITE  
HEARING OFFICER

Prepared By:

  
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PHILLIPS STRICKLAND  
SENIOR ATTORNEY  
MISSISSIPPI INSURANCE DEPARTMENT