

MISSISSIPPI DEPARTMENT OF INSURANCE

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RESPONDENT

VS.

CASE NO.: 19-7451

CRAIG E. WALKER

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 Tuesday, October 29, 2019, at 10:00 a.m., on the Notice of Hearing and Statement of Charges filed against Craig E. Walker ("Respondent"), to hear evidence concerning the denial of Respondent's insurance producer's application. Having received notice of the hearing, the Respondent appeared and gave testimony. Kimberly Causey, Special Assistant Attorney General, represented the Department. Bryan Ward, Esq., Holcomb & Ward, represented Respondent. Hearing Officer Phillips Strickland 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:

AUTHORITY

Miss. Code Ann. §83-17-71(1) and 83-17-71(2) (Rev. 2011), provides that the Commissioner of Insurance may place on probation, suspend, revoke or refuse to issue or renew an insurance producer's license if, after notice to the applicant or licensee and to the insurer represented, if applicable, and hearing, said Commissioner finds the applicant or licensee has committed a violation or violations of any one or more of the following provisions:

1. Miss. Code Ann. Section 83-17-71(1)(e) that such insurance producer has intentionally misrepresented the terms of an actual or proposed insurance contract or application for insurance.
2. Miss. Code Ann. Section 83-17-71(1)(h) that such insurance producer has used fraudulent, coercive or dishonest practices or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business.
3. Miss. Code Ann. Section 83-17-81(1) that such insurance producer has failed to report to the commissioner any administrative action taken against the producer in another jurisdiction within thirty (30) days of the final disposition of the matter.

Miss. Code Ann. Section 83-17-71(4) provides that the Commissioner of Insurance may in addition to, or in lieu of, the remedies provided in this section, after a hearing, impose an administrative fine of not more than One Thousand Dollars (\$1,000.00) per violation.

NOTICE AND HEARING

I.

That on or about August 30, 2019, 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 Respondent's insurance producer's license to act as an insurance producer in this state.

II.

That said Notice of Hearing and Statement of Charges was served on Counsel for the Respondent.

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 Tuesday, October 29, 2019. The Respondent appeared and gave testimony and evidence.

FINDINGS OF FACT

AFTER CONSIDERING all of the evidence presented, including the Findings and Recommendations of the Hearing Officer, which is hereby made part of this Order, the Commissioner of Insurance makes the following Findings of Fact:

IV.

The Respondent violated the provisions of Miss. Code Ann. 83-17-81(1) by failing to report to the commissioner any administrative action taken against the producer in another jurisdiction within thirty (30) days of the final disposition of the matter. Specifically, the Respondent failed to notify the Commissioner that the Financial Industry Regulatory Authority ("FINRA") had brought disciplinary action against Respondent, nor did he notify the Commissioner of the Letter of Acceptance, Waiver and Consent ("AWC") which was accepted by FINRA on April 30, 2018. It is the finding of the Commissioner of Insurance that he is in violation of Miss. Code Ann. Section 83-17-81(1)

V.

During the hearing, evidence was presented and testimony was given by Ms. Caldon Williams, policyholder of Respondent regarding the Respondent's actions concerning placement

of her insurance and the use of her signature electronically. While Ms. Williams' testimony regarding the Respondent's actions was troubling, the evidence did not prove that the Respondent violated the provisions of Miss. Code Ann. § 83-17-71(1)(e) or § 83-17-71(1)(h). Therefore, it the finding of the Commissioner of Insurance that the Respondent did not violate Miss. Code Ann. § 83-17-71(1)(e) or § 83-17-71(1)(h).

CONCLUSIONS OF LAW

IN LIGHT OF THE AFOREMENTIONED Findings of Fact, the Commissioner of Insurance finds that Respondent, Craig E. Walker, has committed the following violations:

VII.


Miss. Code Ann. 83-17-81(1) by failing to report to the commissioner any administrative action taken against the producer in another jurisdiction within thirty (30) days of the final disposition of the matter, as has been more particularly described herein in Paragraph IV. of this Order.

JUDGMENT

IT IS, THEREFORE, ORDERED that the Respondent, Craig E. Walker, is hereby issued a Five Hundred Dollar (\$500.00) fee, to be paid on or before December 31, 2019.

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 (Supp. 2011).

SO ORDERED, this the 10th day of December, 2019.



MIKE CHANEY
COMMISSIONER OF INSURANCE
STATE OF MISSISSIPPI

Report and Recommendation Submitted by:



PHILLIPS STRICKLAND
HEARING OFFICER