

# Arkansas Insurance Department

Asa Hutchinson  
Governor



Allen Kerr  
Commissioner

February 1, 2016

**Certified Return Receipt 70091680000226063114 and U.S. Mail**

Ms. Christine Diamond  
203 Dakota Dr.  
Cabot, AR 72023

**Certified Return Receipt 70091680000226063121 and U.S. Mail**

Ms. Christine Diamond  
504 Parrish St.  
Jacksonville, AR 72076

## **NOTICE OF PUBLIC HEARING**

Dear Ms. Diamond:

You are hereby notified that an **administrative hearing** has been scheduled pursuant to Ark. Code Ann. §§ 23-61-303, 23-103-416, and other applicable provisions of Arkansas law, before Insurance Commissioner Allen Kerr, as Hearing Officer, or his designee, on **March 8, 2016, at 9:00 a.m.** in the First Floor Hearing Room of the Arkansas Insurance Department (“Department”), 1200 West Third Street, Little Rock, AR 72201-1904. The Hearing is your opportunity to defend yourself against the following allegations, and against the possible revocation of your title insurance agent’s license.

### **ALLEGATIONS**

1. Submission of false information on your application for a title insurance agent license. Specifically, falsely responding “No” to the first question on the Background Information section of the application regarding past or current criminal history.
2. Submission of false information on the Affidavit of Prior Title Work Experience. Specifically, falsely having a subordinate employee sign and attest to you having completed 2000 hours under that subordinate’s supervision and during a time frame that does not correspond to your application.

3. Submission of false information in your Affidavit of Employment by Resident Licensee. This affidavit attests to you being employed by the subordinate employee that signed the affidavit, when it was actually the reverse employment situation that was correct.

### **APPLICABLE LAW AND CHARGES**

Ark. Code Ann. § 23-64-506(e)(1) requires that in order to obtain or renew a producer's license, the producer "must be deemed by the commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation."

Ark. Code Ann. § 23-64-512(a) allows the Commissioner to "place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license or may levy a civil penalty in accordance with § 23-64-216 or any combination of actions for any one (1) or more of the following causes: (1) Providing incorrect, misleading, incomplete, or materially untrue information in the license application".

Ark. Code Ann. § 23-64-512(a)(8) allows the Commissioner to take action on the license of a producer for the use of "fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, lack of good personal or business reputation, or financial irresponsibility".

Department Rule 87 Section 5.A.(3) requires an applicant to be deemed competent, trustworthy, financially responsible, and of good personal and business reputation.

Department Rule 87 Section 5.A.(4) requires the applicant to submit an affidavit from a current or prior employer attesting to personal knowledge that the applicant has completed 2000 hours of title work experience under the affiant's supervision.

### **NOTICE:**

You have the right to represent yourself or be represented by counsel of your own choosing at this proceeding. Additionally, the Commissioner will obtain a competent reporter to record the hearing. You may avail yourself of other privileges, including the Department's assistance to subpoena any needed witnesses or records.

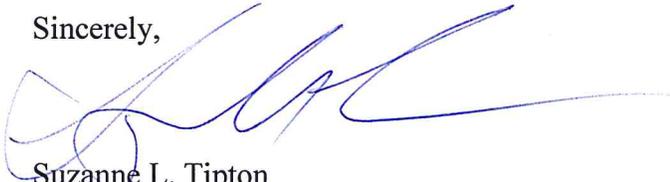
Your written notification by mail, email or facsimile, that you have received this Notice of Hearing, must be received in this office within **ten (10) days of your receipt** of this notice. If your written notification is not received by the Department within ten (10) days, any and all expenses incurred by the Department in continuing the hearing or in notification of witnesses, including, but not limited to, phone calls, issuance of subpoenas and postage, will be charged to the party or parties requesting such continuance. If you or your attorney determines that a continuance is necessary, please call me at (501) 371-2820.

The Department will make all Hearing Exhibits available to you upon timely request, as required by and in conformity with the Arkansas Administrative Procedure Act., Ark. Code Ann. § 25-15-208.

Ms. Christine Diamond  
January 29, 2016  
Page 3

In lieu of a hearing, you may dispose of this matter by signing a consent order for the permanent voluntary surrender of your license. Please call me for details at 501-371-2820.

Sincerely,



Suzanne L. Tipton  
Insurance Deputy Commissioner/General Counsel  
Arkansas Insurance Department

ST/lrr

cc: Taryn Lewis, Investigator  
Amanda Gibson, Associate Attorney  
LoRaine Rowland (via e-mail)  
Ryan James (via e-mail)  
Correspondence File