

BEFORE THE INSURANCE COMMISSIONER  
FOR THE STATE OF ARKANSAS

IN THE MATTER OF  
JOSHUA TROLLINGER

A.I.D. NO. 2006- 049

ORDER

On September 22, 2006, a hearing was held at the Arkansas Insurance Department ("Department") before Julie Benafield Bowman, Arkansas Insurance Commissioner, regarding the producer application of Joshua Trollinger ("Respondent"). The Department was represented by Nina Samuel Carter, Associate Counsel. Respondent was represented by Jeff Watson of the Watson Law Firm. From the facts, matters, and law before her, the Commissioner finds as follows:

FINDINGS OF FACT

1. The Commissioner has jurisdiction over the parties and subject matter pursuant to Ark. Code Ann. §23-61-103.
2. Respondent made an application to the Arkansas Insurance Department for a resident insurance producer license in May 2006.
3. On June 26, 2006, Fred Stiffler, Director of the Department's License Division, sent Respondent a letter of denial of the application for a permit to sit for the Arkansas Agent's Examination.
4. Respondent submitted his application for licensure to the Arkansas Insurance Department in May 2006. In response to the question asking if he had ever been convicted of a crime, Respondent answered "no."

5. In conducting the requisite background check, the Department received a positive response for misdemeanor charges from the State Police database.

6. For the actions referenced above, Respondent was in violation of Ark. Code Ann. § 23-64-512(a)(1), (3), and (8).

7. On June 27, 2006, Respondent requested a hearing and the Department agreed to grant Respondent a hearing at his request.

### **CONCLUSIONS OF LAW**

8. Providing incorrect, misleading, or materially untrue information in the license application is grounds for probation, suspension, revocation, or refusal to issue or renew an insurance producer's license based on violation of Ark. Code §§ 23-64-512(a)(1),(3), and (8).

9. Respondent presented evidence showing that he is a valuable employee and member of his community. He also presented evidence regarding his failure to correctly answer the question on his license application.

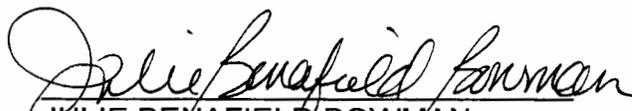
10. Respondent shall be allowed to sit for the Arkansas Agent's Examination, however, Respondent will be placed on Probation upon successful completion of the Examination, until the third renewal of his license.

THEREFORE, in consideration of these Findings of Fact and Conclusions of Law, it is hereby ORDERED AND AGREED that:

A. Respondent will be allowed to sit for the Arkansas Agent's Examination.

- B. Respondent will be on a Probationary Status if he passes the Examination, and as part of the Probation, Respondent is required to take one additional hour of Ethics Continuing Education in his first year of licensure, in addition to the hour of Ethics required in Ark. Code Ann. § 23-64-301, for a total of two Ethics Continuing Education hours during his first year. The additional hour of Ethics will not count toward the Ark. Code Ann. § 23-64-301 Continuing Education requirement. Respondent must provide documentation of completing the additional hour of Ethics to both the Licensing Division and the Legal Division of the Arkansas Insurance Department.
- C. The term of this probation will last until the third renewal of his Agent license.
- D. Respondent is advised that probationary status means that the imposition of insurance license sanctions that the Commissioner may impose by law or by informed consent upon him is being suspended and is contingent upon his compliance and good conduct during this probationary period. See Ark. Code §§ 23-64-216 and 23-64-512.
- E. If Respondent violates the terms of this probation or any provision of the insurance code during the probation period, a revocation hearing will immediately be set and will result in statutorily imposed sanctions. See Ark. Code §§ 23-64-216 and 23-64-512.

IT IS SO ORDERED this 3rd day of November 2006.

  
JULIE BENAFIELD BOWMAN  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS