

**BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS**

**IN THE MATTER OF
KAY NICHOLS;
LICENSE NO. 200695**

A.I.D. NO. 2010- 069

CONSENT ORDER

On this day, the matter of Kay Nichols ("Respondent") came before Jay Bradford, Arkansas Insurance Commissioner ("Commissioner"). The Arkansas Insurance Department ("Department") is represented by Associate Counsel, Ashley Fisher, in this matter. The Respondent neither admits nor denies any of the Findings of Fact or the Conclusions of Law contained herein. From the facts and law before him, the Commissioner finds as follows:

FINDINGS OF FACT

1. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Ark. Code Ann. § 23-61-103.
2. Respondent is a resident of North Little Rock, Arkansas and is licensed as a resident property, casualty and surety insurance producer. Her work address is 6516 Corsica Drive, North Little Rock, AR 72116.
3. Respondent works for WRK of Arkansas, LLC, which is owned by Dennis Gardisser. She previously worked for Regions Insurance and is currently involved in a lawsuit that is pending in the Circuit Court of Pulaski County. WRK is a resident agency that sells casualty, marine, property and surety insurance and is primarily in the business of selling aviation insurance.
4. While working for WRK, Ms. Nichols performed the work on the insurance policies sold and advised the clients of WRK accordingly; however, prior to her speaking with

the clients, Mr. Gardisser was soliciting business for WRK. Mr. Gardisser is not a licensed resident agent; nor does he hold any other type of insurance license.

5. Respondent has been advised of her right to a hearing and has knowingly and voluntarily waived her right to an administrative hearing and has agreed to the entry of this Consent Order. In doing so, Respondent, neither admits any allegations made in any Department Order, nor makes any admissions related to the complaints forming the basis for, either alleged or implied, in any Department administrative action, notice or Order.

CONCLUSIONS OF LAW

From the Findings of Fact contained herein, the Commissioner concludes as follows:

6. Allowing someone who is not properly licensed to solicit insurance on behalf of an insurance producer is a violation of Arkansas law. See Ark. Code Ann. § 23-64-201. This violation is grounds for the levying of a civil fine and placing a producer's license in probationary status pursuant to Ark. Code Ann. § 23-64-216 (a) and (d)(1) and 23-64-512(a)(12).

7. Based upon the foregoing, the Commissioner concludes that the Respondent shall pay a fine of \$500.00 and her Arkansas Resident Producer License No. 200695 should be and hereby is immediately placed in probationary status for a period of twelve (12) months.

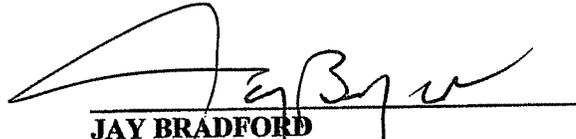
IT IS THEREFORE ORDERED:

1. Respondent's Resident Producer License Number 200695 shall be, and hereby is, placed on probation for a period of one year from the date of this order pursuant to Ark. Code Ann. § 23-64-512(a) and is ordered to pay a fine of \$500.00. Any failure to comply with the provisions of this order or the Arkansas Insurance Code, or the receipt of similar or related complaints against the Respondent, during the period of probation may result in the suspension or revocation of the Respondent's producer license.

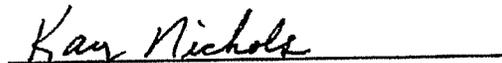
2. In addition to the one hour of ethics training required annually pursuant to Ark. Code Ann. § 23-64-301(b)(3), the Respondent shall complete one additional hour of ethics training each year during both 2010 and 2011. The additional hour of ethics training imposed by this order shall not count toward the continuing education requirements imposed by the Arkansas Insurance Code.

3. Proof of compliance with the requirements imposed herein shall be promptly provided to the Department within ten (10) business days of the completion of each requirement.

IT IS SO ORDERED this 3rd ^{August} day of ~~July~~, 2010.



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS



KAY NICHOLS
RESPONDENT