

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

ARKANSAS INSURANCE DEPARTMENT,)

)

vs. )

)

BRENDA PRINCE )

Appellant )

A.I.D. NO. 2011-056

**ORDER**

A hearing was held at 1:00 a.m. on August 15, 2011 in the Hearing Room of the Arkansas Insurance Department pursuant to the request of Brenda Prince seeking a reversal of the Department's decision to deny her application for a limited lines producer license with the qualification of funeral expense. The hearing was held before Acting Deputy Commissioner and General Counsel and Director of Property and Casualty, William R. Lacy, ("Hearing Officer") pursuant to his appointment by Commissioner Jay Bradford in accordance with Ark. Code Ann. § 23-61-103. The Arkansas Insurance Department ("Department") was represented by Ashley Fisher, Associate Counsel. Also present was Fred Stiffler, Jr., Director of the License Division. Ms. Prince was present and represented herself.

**FINDINGS OF FACT**

1. Ms. Prince is a resident of Fort Smith, Arkansas.
2. In June 2011, Ms. Prince submitted an application for a limited lines license with the line of authority of funeral expense. Ms. Prince's credit report revealed outstanding debts.

3. On July 5, 2011, the Licensing Division, sent correspondence to Ms. Prince requesting additional information within 30 days. Ms. Prince sent a response to the Department indicating a death in her family (husband) and a loss of employment. She included information concerning a bankruptcy that was voluntarily dismissed. On August 2, 2011, Mr. Fred Stiffler, Manager of the License Division, responded to her denying her application based on a lack of financial responsibility.

4. Ms. Prince requested a hearing, which was conducted on October 28, 2010. Evidence and testimony was introduced at the hearing.

5. Ms. Prince, subsequent to the hearing, has produced information that represents that the majority of her outstanding debt was due to large medical bills from her deceased husband's long battle with an illness prior to his death.

#### **CONCLUSIONS OF LAW**

Based upon the above and foregoing Findings of Fact and the evidence before him, the Hearing Officer concludes as follows:

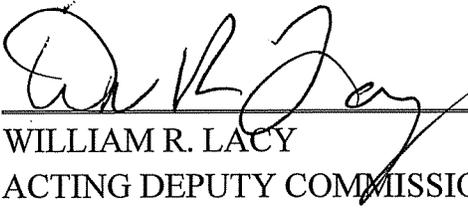
7. Based upon the evidence presented, the Appellant meets the requirement under Ark. Code Ann. § 23-64-506 of being financially responsible.

#### **RECOMMENDATIONS OF THE HEARING OFFICER**

WHEREFORE, based upon the foregoing Findings of Fact, Conclusions of Law, and other matters before him, the Hearing Officer recommends:

8. That the Department's denial of the Appellant's, Application for an Arkansas limited lines license be reversed.

9. That Appellant's Application for a limited lines license be promptly processed by the License Division.



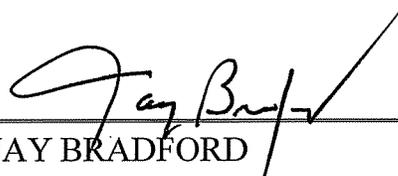
WILLIAM R. LACY  
ACTING DEPUTY COMMISSIONER AND  
GENERAL COUNSEL AND DIRECTOR OF  
PROPERTY AND CASUALTY

**CERTIFICATION**

I, Jay Bradford, Insurance Commissioner for the State of Arkansas, do hereby certify that the above Findings of Fact, Conclusions of Law, and Recommendations of the Hearing Officer were made by and under my authority and supervision by William R. Lacy, Director of the Property and Casualty Division and Hearing Officer in this proceeding. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommendations in full and enter this Order.

THEREFORE, it is hereby ORDERED that the License Division process Ms. Prince's application for a limited lines license with a funeral expense line of authority.

IT IS SO ORDERED THIS 26<sup>th</sup> DAY OF AUGUST 2011.



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JAY BRADFORD  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS