

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

IN THE MATTER OF:

**BRECKENRIDGE ENTERPRISES, INC.
d/b/a AMS STAFF LEASING II**

)
)
)
)

AID NO.: 2011- 084

CONSENT AGREEMENT

Now on this day, the matter of Breckenridge Enterprises, Inc., d/b/a/ AMS Staff Leasing II (“Respondent”) comes before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). The Arkansas Insurance Department (“Department”) was represented by Nina Samuel Carter, Associate Counsel, in this matter. The Commissioner and Respondent are in agreement concerning the above-captioned matter. Therefore, the Commissioner and the Respondent consent and agree to the following:

FINDINGS OF FACT

1. The Commissioner has jurisdiction over the parties and the subject matter pursuant to the Arkansas Professional Employer Organization Recognition and Licensing Act, Ark. Code Ann. §§ 23-92-401, *et seq.*
2. Respondent is a professional employer organization (PEO) with an administrative address of 5501 LBJ Freeway, Suite 1200, Dallas, TX 75240.
3. Respondent has held a PEO License No. E9225 with the Department since July 2006.
4. On or about July 8, 2011, Respondent sent the Department an email to get information on how to renew its PEO License.
5. Respondent’s License was due for renewal on September 17, 2010, and has been operating with an expired license since that date, totally about three hundred one (301) days.
6. Respondent has submitted the renewal licensing fee of one thousand dollars (\$1,000) to the Department as required by Ark. Code Ann. § 23-92-407(b), which will cover the biennial license for the years 2010 and 2011.

CONCLUSIONS OF LAW

7. Ark. Code Ann. § 23-92-404(d)(3)(A) provides, in pertinent part, that licensees shall have thirty (30) days after the renewal date in which to renew their licenses and pay in addition to the renewal fee, a late fee not to exceed one thousand dollars (\$1,000).

8. Ark. Code Ann. § 23-92-404(d)(3)(B) provides, in pertinent part, that if payment is not received within the thirty-day period, the license shall automatically become void without further action by the commissioner.

ORDER

NOW THEREFORE, on the basis of the foregoing and the waiver of the Respondent of its rights to a hearing and appeal under the Arkansas Uniform Administrative Procedures Act, Ark. Code Ann. §§ 25-15-201, *et seq.*, and the admission by the Respondent of the jurisdiction of the Commissioner, the Commissioner finds that the Respondent has consented to the entry of this Order and that the following Order is appropriate and in the public interest.

IT IS HEREBY ORDERED that:

Breckenridge Enterprises, Inc., d/b/a/ AMS Staff Leasing II shall pay to the Department a monetary administrative penalty in the amount of One Thousand Dollars (\$1,000).

This Consent Order is in the public interest, is in the best interests of the parties hereto, and represents a compromise and settlement of the controversy between the parties and is for settlement purposes only. By its signature affixed below, Respondent affirmatively states that it has freely agreed to the entry of this Consent Order, that it has been advised it may consult legal counsel in this matter and has had the opportunity to consult with legal counsel should it have desired to do so, that it waives its rights to a hearing on the matters underlying this Consent Order, and that no threats or promises of any kind have been made by the Commissioner, the Department or any agent or representative thereof. The parties, by signing this Consent Order, affirmatively state their agreement to be bound by the terms of this Consent Order and aver that no promises or offers relating to the circumstances described here, other than the terms of settlement set forth in this Consent Order, are binding upon them.

IT IS SO ORDERED, DIRECTED, AND AGREED TO THIS 9th DAY OF
SEPTEMBER, 2011.

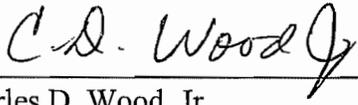


JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS

APPROVED FOR ENTRY:



Nina Carter
Associate Counsel
Arkansas Department of Insurance
1200 West Third Street
Little Rock, Arkansas 72201
(501) 371-2820



Charles D. Wood, Jr.
President
Breckenridge Enterprises, Inc.

RECEIVED
SEP 08 2011
PROPERTY AND CASUALTY DIVISION
ARKANSAS INSURANCE DEPARTMENT