

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

**ARKANSAS INSURANCE DEPARTMENT,)
Petitioner)**

vs.)

**WILLIAM R. ROBINS II,)
License No. 231172)
Respondent)**

A.I.D. No. 2011- 092

REVOCATION ORDER

On this day, the matter of William R. Robins, II, (“Respondent”) came before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held at 10:00 a.m. on August 16, 2011, in the Administrative Conference Room of the Arkansas Insurance Department (“Department”) pursuant to a Notice of Hearing dated July 22, 2011. The hearing was held before Chief Deputy Commissioner Lenita Blasingame (“Hearing Officer”) pursuant to her appointment by the Commissioner in accordance with Ark. Code Ann. § 23-61-103. The Department was represented by Nina Samuel Carter, Associate Counsel.

FINDINGS OF FACT

1. The Commissioner has jurisdiction pursuant to the Arkansas Insurance Code, specifically Ark. Code Ann. §§ 23-61-101, *et seq.*
2. Respondent is a person currently licensed by the Department as an insurance producer with an address of record being 3401 Highway 5 North, #4, Benton, AR 72019. Respondent currently holds Arkansas Resident Producer License Number 231172.
3. The Commissioner issued AID Order No. 2007-044 on July 30, 2007, which put Respondent’s license on probation for one year because, during a period of time in 2005,

Respondent had numerous checks returned for insufficient funds, including payroll checks to employees of his agency.

4. Respondent gave the Department two “no good” checks for his 2010 license renewal. No replacement checks were received by the Department for the two checks that were returned and marked “account closed”.

5. Respondent’s website for his agency, Growth in Benefits, advertises that it is a “Full Service Consulting Firm” although the agency does not employ any agents with a consultant’s license.

6. Respondent did not respond to the Department’s August 25, 2010 letter requesting an explanation regarding the checks that were returned unpaid and informing him that because of these unpaid checks, his license was not renewed. The letter also addressed Respondent’s business website which advertises that his agency is a “Full Service Consulting Firm” and that Respondent and his employees are “Employee Benefits Consultants” while neither Respondent nor his agents holds a consultant’s license.

7. Respondent failed to pay commissions to agents who worked at his agency. At times the agents did receive partial payments of commissions, although many times the checks bounced.

8. On August 30, 2010, Joie Tester, Investigator, mailed a Notice of Investigative Conference, scheduled for September 17, 2010, to Respondent. The certified green card was returned with Respondent’s signature as received on August 31, 2010. The Notice to Respondent’s address on file with the Department and the Notice to Respondent’s business address were returned as “return to sender, unclaimed, unable to forward.” Copies of the complaint were included with the Notice, but the Department has not received any written

response or communication addressing the complaint from the Respondent. The Notice did advise the Respondent that failure to attend the Investigative Conference could result in administrative action against his license.

9. A Bench Warrant for Respondent's arrest was issued on September 14, 2010, by the Saline County Circuit Court for the offenses of Ark. Code Ann. § 5-37-302, Violation of the Arkansas Hot Check Law, a Class B. Felony, for writing over \$7,000 of insufficient checks to multiple merchants. Respondent was arrested on the outstanding arrest warrant on September 15, 2010, according to the Arkansas Arrest/Disposition Report.

10. On September 16, 2010, Respondent's wife called the Department and explained that Respondent would not be able to attend the Investigative Conference scheduled for the next morning and would have to reschedule.

11. Respondent was terminated by Colonial Life and Accident Insurance Company ("Colonial"), a subsidiary of Unum Group ("Unum"), as of September 23, 2010.

12. Unum's Special Investigative Unit ("SIU") began an investigation of Respondent after Colonial management filed a report with the SIU predicated on their detection of, and in response to, irregularities including suspected forgery issues involving Respondent. Specifically, in one instance, Respondent electronically enrolled an employee group that reportedly had forty-six (46) employees, but the owner/operator reported that he had only two employees.

13. Respondent has not been responsive to interview efforts made by the SIU. However, Unum's SIU concluded that there are sufficient facts in evidence to warrant appropriate regulatory, as well as criminal and/or civil action.

14. The certified mail receipt shows that the Respondent received notice of the hearing scheduled and held on August 16, 2011, at which time he would have been given the

opportunity to respond to the allegations as set forth above.

15. Respondent failed to appear in person or through legal counsel at the hearing held on August 16, 2011.

CONCLUSIONS OF LAW

16. The testimony and supporting documentation entered into evidence at the hearing is sufficient to make a finding that the Respondent cannot be deemed “competent, trustworthy, and financially responsible, and of good personal and business reputation” to engage in the sale of insurance products as required by the Insurance Code, and no longer meets the qualifications for licensure by the Department.

17. Ark. Code Ann. § 23-64-512(a) provides, in pertinent part, that the Commissioner may place on probation, suspend, revoke, or refuse to renew an insurance producer’s license upon finding that an insurance producer has violated one or more of the grounds enumerated therein.

18. Respondent failed to pay commissions to employees, which is a basis for license revocation pursuant to Ark. Code. Ann. § 23-64-512(a)(2), (4), (7), (8), and (7).

19. Respondent failed to provide replacement funds after bad checks were written to the Department, which is a basis for license revocation pursuant to Ark. Code. Ann. § 23-64-512(a)(8).

20. Respondent failed to cooperate with the Department’s investigation and subsequent hearing, which is a basis for license revocation pursuant to Ark. Code. Ann. § 23-64-512(a)(13), (16), and (17).

21. Pursuant to Ark. Code Ann. § 23-64-512, the Commissioner is authorized to revoke Respondent’s license because he no longer meets the qualifications required for a license

as described above.

IT IS THEREFORE ORDERED AND ADJUDGED that:

A. The Department has met its burden of proof with respect to revoking any and all of Respondent's resident insurance producer licenses.

B. Any and all licenses issued by the Department to Respondent William R. Robins, II, specifically Arkansas Resident Producer License No. 231172, are hereby revoked on the grounds stated above.

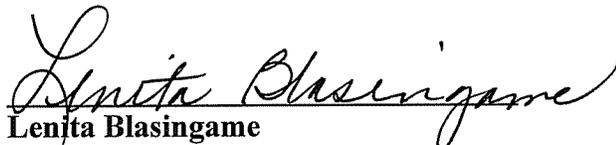
C. Pursuant to Ark. Code Ann. § 23-64-218(a)(1) and (2), Respondent shall immediately forward to the Commissioner all insurance agent licenses issued to Respondent by the Department.

D. All companies appointing Respondent as agent shall be notified of this Order.

E. The Commissioner will not consider re-licensure until the expiration of three (3) years from the date of this Order in accordance with the provisions under Ark. Code Ann. § 23-64-217(b).

RECOMMENDATION OF HEARING OFFICER

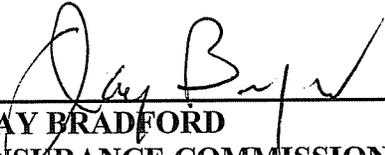
Upon consideration of the evidence of record, the Hearing Officer recommends that the foregoing Findings and Conclusions of Law be approved and adopted and that the revocation of all insurance producer licenses for Respondent William R. Robins, II, is hereby upheld.


Lenita Blasingame
Chief Deputy Commissioner and
Hearing Officer

CERTIFICATION

I, Jay Bradford, Insurance Commissioner for the State of Arkansas, do hereby certify that the above and foregoing matter was conducted by Lenita Blasingame, Chief Deputy Commissioner and Hearing Officer, by and under my authority and supervision. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommendation in full, as set forth herein.

IT IS SO ORDERED THIS 16th day of September, 2011.



**JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS**