

BEFORE THE INSURANCE COMMISSIONER  
FOR THE STATE OF ARKANSAS

MILES PRICE	)	
APPELLANT	)	
	)	
VS.	)	
	)	
ARKANSAS INSURANCE DEPARTMENT,	)	A.I.D. NO. 2015- 070
RESPONDENT	)	

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ORDER

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On this day, the matter of Miles Price (“Appellant”) came before Allen Kerr, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held on August 4, 2015, at the Arkansas Insurance Department pursuant to the request of Appellant to appeal the Department's decision to deny his application for an Arkansas Producer's License. The hearing was held before Chief Deputy Commissioner, Russ Galbraith, pursuant to his appointment by the commissioner in accordance with Ark. Code Ann. § 23-61-103. The Arkansas Insurance Department (“Department”) is represented by Gray Allen Turner, Associate Counsel, in this matter. From the facts and law before him, the Commissioner finds as follows:

FINDINGS OF FACT

1. Appellant is a resident of Little Rock, Arkansas. Appellant applied for an Arkansas Producer License on June 8, 2015. That application was denied and Appellant requested an appeal hearing on July 9, 2015.

2. This matter came on for hearing on August 4, 2015. Appellant was present and waived his right to counsel.

3. In 2008, Appellant's securities broker license was permanently revoked by FINRA. In his testimony, Appellant stated as to the reasons for the revocation. Appellant, in 2007, purchased securities for two clients where he did not have prior written authorization to do so. Appellant made false journal entries indicating that he did have written acceptance for the transactions, when in fact he had exercised discretion in the account without the client's authorization. Appellant also entered a handwritten note on his firm's order entry workbook for transactions with the customer in which he falsely stated that the trades were approved by the customer.

#### CONCLUSIONS OF LAW

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

1. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Ark. Code Ann. § 23-61-103.

2. Pursuant to Ark. Code Ann. § 23-64-506, in order to obtain a license an applicant must demonstrate that he is competent, trustworthy, financially responsible, and of good personal and business reputation.

3. Appellant admitted at the hearing to violating securities regulations that led to his permanent securities license revocation. Appellant was candid and fully acknowledged his past mistakes.

4. Based upon the evidence before the Hearing Officer and the safeguards, terms and conditions set forth below, Appellant fulfilled his burden of showing that the Department should reverse its decision and grant his application to sit for the Arkansas Insurance Producer's License Examination.

RECOMMENDATION OF THE HEARING OFFICER

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

1. That the Department's denial of the Appellant's Application for an Arkansas Insurance Producer's License be reversed, and Appellant be promptly issued a permit to sit for the Arkansas Insurance Producer's Examination.

2. That Appellant be placed on probation for a period of one year from the date this order is entered, and during the probation period:

(a) Appellant may not be issued a life insurance line of authority until the one year probation period has ended.



RUSS GALBRAITH  
CHIEF DEPUTY INSURANCE  
COMMISSIONER  
AND HEARING OFFICER

CERTIFICATION

I, Allen Kerr, 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

Russ Galbraith, Chief Deputy Insurance Commissioner and Hearing Officer in this proceeding. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommendation in full and enter this Order.

THEREFORE, it is hereby ORDERED that:

1. Appellant shall be allowed to sit for the Arkansas Producer's Examination; however, Appellant will be placed on probation upon successful completion of the examination for one full year of licensure.

2. Appellant shall not hold a life insurance line of authority during the period of probation.

IT IS SO ORDERED THIS 21<sup>st</sup> day of August, 2015.



ALLEN KERR  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS