

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF ARKANSAS

IN THE MATTER OF SHALONDA TIDWELL
RESPONDENT
NPN 7950789

AID NO. 2016- 064

EMERGENCY CEASE AND DESIST ORDER

Now, on this day, the matter of Shalonda Tidwell "(Respondent)", is taken under consideration by Allen Kerr, Insurance Commissioner for the State of Arkansas ("Commissioner"), with the Arkansas Insurance Department (the "Department") appearing through Gray Allen Turner, Associate Counsel, and from the facts, matters and other items before him, the Commissioner finds as follows:

1. Respondent was previously a licensed Arkansas Resident Producer and held license NPN 7950789.
2. Respondent is a resident of Pulaski County, Arkansas.
3. Respondent filed a timely appeal of the revocation in Pulaski County Case No. 60CV-15-6092. At this time the revocation order has not been reversed or set aside.
4. Under §23-65-101(a)(2)(A), "no person or entity shall act as a producer, adjuster, or consultant without first obtaining appropriate licensure or registration as required by the insurance laws of this State for the transaction of insurance with respect to subjects of insurance or self-insurance resident, located or to be performed in this State."
5. Under Ark. Code Ann. § 23-61-103, the Commissioner may summarily order a person or entity to cease and desist from an act or practice if there is reason to believe that a person or entity has engaged in or is about to engage in any act or practice constituting a violation of an insurance law, rule, or order of this state "

6. Respondent's producer license was revoked on November 17, 2015, in Arkansas Insurance Department Order 2015-82. Since that time, Respondent has continued to act as a producer without a license.
7. On November 23, 2015, Cathy Perry, who is Respondent's aunt, met with employees of the Arkansas Insurance Department to discuss her application for an agency license. At this meeting, Ms. Perry indicated that Respondent would not be working for her in the business of insurance.
8. On May 31, 2016, investigators for the Arkansas Insurance Department visited Cathy Perry's insurance office and requested to inspect her records. Ms. Perry was not able to immediately share any policy records and told investigators the files were in storage, but that she would have someone bring the files. Soon after investigators began the office visit, Respondent arrived with files belonging to Mrs. Perry and made them available for inspection. The files that were produced were incomplete and did not conform to the record retention requirements of Ark. Code Ann. § 23-64-220(c)(i)(B).
9. In June of 2016, Arkansas Insurance Department investigators contacted several customers who had received automobile insurance policies from Progressive in 2016. To date, eight policy holders have stated that Shalonda Tidwell was their agent, although the policies list Ms. Cathy Perry as the agent.

The Commissioner finds that a public emergency exists for the issuance of an emergency order. The Commissioner hereby Orders the following:

1. Pursuant to Ark. Code Ann § 23-61-103, Respondent is hereby ordered to immediately cease and desist from the sale, solicitation, or consulting on anything concerning the sale of insurance in this state without a license, a violation of Ark. Code Ann. § 23-64-501 et seq.
2. Pursuant to Ark. Code Ann. § 23-61-103, the Respondent is given notice that upon written request within thirty days of the entry of this order, a hearing

shall be held under Ark. Code Ann. § 23-61-301 et seq. to determine if the cease and desist order should continue. If no hearing is requested, the order shall remain in effect until it is modified or vacated by the commissioner, and shall be considered a final agency action.

3. The Commissioner retains jurisdiction over the Respondent following the revocation of her license pursuant to Ark. Code Ann. § 23-64-512(e) and retains authority to impose any penalty or remedy available under the Arkansas Insurance Code.

IT IS SO ORDERED THIS 8th DAY OF JULY 2016.



ALLEN KERR
INSURANCE COMMISSIONER
STATE OF ARKANSAS