

BEFORE THE INSURANCE COMMISSIONER  
FOR THE STATE OF ARKANSAS

ARKANSAS INSURANCE DEPARTMENT )  
PETITIONER )  
 )  
VS. )  
 )  
ROBERT E. DUPREE )  
RESPONDENT )  
NPN 1661698 )

A.I.D. NO. 2016- 082

CONSENT ORDER

On this day, the matter of Robert Dupree (“Respondent”) came before Allen Kerr, Arkansas Insurance Commissioner (“Commissioner”). The Arkansas Insurance Department (“Department”) is represented by Associate Counsel, Gray Allen Turner, in this matter.

GENERAL STIPULATIONS

1. It is expressly understood that this Consent Order is subject to the Commissioner's acceptance and has no force of effect until such acceptance is evidenced by the signature and entry of the Order by the Commissioner.
2. This Consent Order is executed by the Respondent for the purpose of avoiding further administrative action with respect to this cause.
3. The Respondent fully understands and agrees that this Consent Order applies only to the matters and things set forth in the Findings of Fact and matters and things related thereto, and will in no way preclude additional proceedings by the Commissioner against the Respondent for acts or omissions not specifically addressed in this Consent Order or for fact or omissions that do not arise from the facts or transactions herein addressed.
4. After consultation with legal counsel or the opportunity to consult with legal counsel, the Respondent, without admitting or denying the findings or staff allegations contained herein, expressly waives all further procedural steps, and expressly waives all right to a formal hearing, to seek judicial review of or to otherwise challenge or consent the validity of the Consent Order,

the stipulations and imposition of discipline contained herein, and the consideration and entry of said Consent Order by the Commissioner.

#### FINDINGS OF FACT

1. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Ark. Code Ann. § 23-61-103.
2. Respondent is a resident of Little Rock, Arkansas, and is licensed as a resident insurance producer subject to the emergency suspension order.
3. Respondent was previously licensed as a resident producer. In 2011, his producer license was revoked for failure to pay child support.
4. Respondent filed a new producer license application in 2014. On his application, Respondent inaccurately stated: (1) that he had never held an insurance producer license; (2) he had never been subject to an administrative action; and (3) he was zero months behind in paying child support arrearages.
5. Respondent filed a producer license renewal on April 2016. On his renewal, Respondent inaccurately stated that he had no child support arrearages. As of March of 2016, Respondent had a Support Balance of \$8391.65 and a Judgment Balance of \$14799.18.
6. On May 20, 2016, the Office of Child Support Enforcement sent a notice to the Arkansas Insurance Department requesting that Mr. Dupree's insurance license be suspended because he was three or more months in arrears on a child support obligation.
7. On June 16, 2016, the Office of Child Support Enforcement sent notice to the Arkansas Insurance Department to release the suspended license because the Respondent had entered into an installment agreement.
8. The Office of Child Support enforcement determined that the adjudicated arrearage was \$23,664.83.
9. Respondent continues to owe \$81.40 weekly in child support payments and \$7.40 weekly toward arrearages.

#### CONCLUSIONS OF LAW

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

1. By providing misleading information on his 2014 producer license application and 2016 license renewal, respondent has violated Ark. Code Ann. § 23-64-512(8).
2. Based on the foregoing, the Commissioner concludes that the Respondent shall:
  - a. Have his Arkansas Producer License NPN1661698 suspended for a period of 90 days effective beginning July 7, 2016.
  - b. Respondent agrees to make all weekly child support obligation payments and arrearage payments as ordered in Pulaski County circuit court case DR2004-505.
  - c. Respondent agrees to abide by any installment payment agreement entered into with the Office of Child Support Enforcement.

### ORDER

Now therefore, on the basis of the foregoing and the waiver by the Respondent of his right to a hearing and appeal under the Arkansas 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 THEREFORE ORDERED THAT:

1. Respondent's Resident Producer License NPN1661698 shall be, and hereby is, suspended for a period of 90 days effective July 7, 2016.
2. Respondent's residential Producer License NPN1661698 shall be revoked without notice if he is 30 days or more behind on his child support payment obligations or fails to abide by the terms of an installment agreement with the Office of Child Support Enforcement.
3. Respondent shall immediately inform the Arkansas Insurance Division, Legal Division, in writing, if he is 30 days behind on his child support payment obligations or fails to abide by the terms of an installment agreement with the Office of Child Support Enforcement.
4. 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 his signature affixed below, the Respondent affirmatively states that he has freely agreed to the entry of this Consent Order, that he has been advised that he may consult legal counsel in this matter and has had the opportunity to consult with legal counsel,

should he have desired to do so, that he waives his 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 herein other than the terms of settlement set forth in this Consent Order, are binding upon them.

IT IS SO ORDERED this 19<sup>th</sup> day of September, 2016.



ROBERT DUPREE  
RESPONDENT



ALLEN KERR  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS