

**STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF INSURANCE**

**IN THE MATTER OF LAUREN ROBBINS:
ACTION AGAINST
BAIL SOLICITING/ENFORCEMENT AGENT License No. 419256**

ADMINISTRATIVE ORDER

THIS CAUSE came on for hearing before the Commissioner of Insurance of the State of Mississippi (hereinafter “Commissioner”), by and through his specially designated appointee, Mark Lampton (hereinafter “Hearing Officer”), in the Office of the Commissioner, 10th Floor, Woolfolk State Office Building, 501 North West Street, Jackson, MS 39205, on Wednesday, January 4, 2017, at 9:30 a.m., pursuant to a Notice of Hearing and Statement of Charges brought against Lauren Robbins (“Respondent”) dated November 22, 2016. After service and notice, Respondent appeared and gave testimony at the hearing. The Commissioner of Insurance, based on the evidence presented at the hearing, makes the following findings:

AUTHORITY AND STATEMENT OF CHARGES

The Respondent was charged with the violating the following laws of the State of Mississippi:

- (a) Miss. Code Ann. § 83-39-15 (c) (supp. 2016): The department may deny a license to engage in bail bond business for a material misstatement, misrepresentation or fraud in obtaining the license.
- (b) Miss. Code Ann. § 83-39-9 (supp. 2016): Bail agent applicants are required to show proof of good moral character.

The Statement of Charges, dated November 22, 2016, alleged that:

It is specifically charged that the Respondent violated Miss. Code Ann. § 83-39-15 (1) (c) (Rev. 2015) by answering “NO” to the question “have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?” The Respondent was convicted of “Shoplifting – 1st Offense” in the Meridian Municipal Court on August 9, 2011. Respondent was ordered to pay a fine in the amount of \$1,000, an assessment of \$122 and sentenced to 10 days house arrest. Respondents actions are in violation of Miss. Code Ann. § 83-39-15(1) (c) (Rev. 2013).

It is specifically charged that the Respondent violated Miss. Code Ann. § 83-39-9 (Rev. 2015) by virtue of being in convicted of a crime of moral turpitude, shoplifting, and has failed to show proof of good moral character as required by Miss. Code Ann. § 83-39-9 (Rev. 2015).

FINDINGS OF FACT

After considering all of the evidence and testimony presented, the Commissioner of Insurance makes the following findings of fact:

1. The Respondent did make a misrepresentation in her application for licensure as a Bail Soliciting and Enforcement Agent. Specifically, Respondent did answer “NO” to the question “have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?” The evidence shows that Respondent was in fact convicted of “Shoplifting-1st Offense” in The City of Meridian Municipal Court, the conviction being entered on July 6, 2011. (Exhibit S-3).

2. The Respondent, at the hearing, admitted that she made the misrepresentation on her license application, but asserted that it was “accidental.” Respondent further stated that the shoplifting charge for which she was convicted stemmed from her theft of diapers and wipes from a store when she had been left by her husband and had no money. Although it is not convincing that the misrepresentation was an “accident,” I do find that the circumstances of the crime do not rise to the level of an offense which would, in and of itself, justify denial of the license application. Pursuant to Miss. Code sec. 83-39-3 (supp. 2016), the Commissioner is

prohibited from issuing a license to a person who “has ever been convicted of a crime that the commissioner finds directly relates to the duties and responsibilities of the business of a professional bail agent, soliciting bail agent, or bail enforcement agent, including, but not limited to, any felony that involves an act of fraud, dishonesty, or a breach of trust, or money laundering. The Respondent’s shoplifting of diapers and wipes does not rise to that standard.

3. Regardless of the materiality of the conviction, it remains problematic that she misrepresented herself in her answer on the license application. This misrepresentation by the Respondent is in violation of Miss. Code Ann. § 83-39-15 (c) (supp. 2016), and provides further evidence to doubt the good moral character of the Respondent, which she must establish as a prerequisite for the license pursuant to Miss. Code § 83-39-9 (supp. 2016).

CONCLUSIONS OF LAW

In light of the aforementioned findings of fact, the Commissioner of Insurance finds that the Respondent has violated the following provisions of law:

1. The Respondent has violated Miss. Code §83-39-15 (1) (c) by making an intentional misrepresentation on her licensure application.

2. Although the Respondent cast a shadow of doubt upon her “good moral character” in misrepresenting herself on her license application, I conclude that it is not sufficient doubt to result in a complete bar to her license being granted.

ORDER

IT IS, THEREFORE, ORDERED that an administrative fine of \$1,000 is hereby imposed upon the Respondent. Respondent’s application for a Bail Soliciting Agent / Bail Enforcement Agent License should be approved and issued, conditioned upon her first paying the administrative fine to the Mississippi Department of Insurance in the amount of \$1,000.

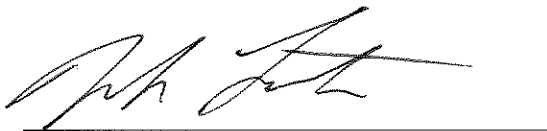
Should the Respondent wish to appeal the Order of the Commissioner, she may follow the procedure set forth in Miss. Code Ann. § 83-39-19.

SO ORDERED, this the 9th day of January, 2017.



MIKE CHANEY
COMMISSIONER OF INSURANCE

Recommended By:



Mark Lampton
Hearing Officer