

**STATE OF MISSISSIPPI  
OFFICE OF THE COMMISSIONER OF INSURANCE**

**COMMISSIONER OF INSURANCE**

**PETITIONER**

**VS.**

**CAUSE NO. 08-5710**

**LACEINE MASON**

**RESPONDENT**

**ORDER**

**THIS CAUSE** came on for hearing before the Commissioner of Insurance of the State of Mississippi, sitting in a special session in the offices of the Commissioner of Insurance of the State of Mississippi, 10th Floor, Woolfolk State Office Building, 501 North West Street, Jackson, Hinds County, Mississippi on Thursday, January 17, 2008, at 10:00 a.m. on the Notice of Hearing and Statement of Charges filed against Laceine Mason ("Respondent"), to hear evidence concerning said complaint. Having received notice of the hearing, the Respondent appeared and gave testimony. Kimberly Causey, Special Assistant Attorney General, represented the Department. Hearing Officer Aaron Sisk took testimony and accepted evidence in this matter. Based upon the evidence and testimony, and upon the recommendation given by the Hearing Officer, the Commissioner makes the following Findings of Fact and Conclusions of Law, to-wit:

**STATEMENT OF CHARGES**

That the Respondent was charged with the following violations of law in the Notice of Hearing and Statement of Charges issued January 8, 2008:

- Miss. Code Ann. Section 83-17-503 that the Respondent held herself out as a public adjuster without being licensed by the commissioner;
- Miss. Code Ann. Section 83-17-519(1)(d) that the Respondent has demonstrated a

lack of trustworthiness or incompetence to act as a public adjuster; and,

- Miss. Code Ann. Section 83-17-519(1)(h) that the Respondent has violated the insurance laws or any regulation of the commissioner, including, but not limited to, the above-referenced statutes and Mississippi Insurance Department Regulation 2007-4.

## NOTICE AND HEARING

### I.

That on or about June 11, 2007, the Commissioner of Insurance of the State of Mississippi, or his appointee, pursuant to Miss. Code Ann. § 83-17-71 (Supp. 2007), gave the required notice to the Respondent of the Commissioner's intention to hold a hearing for the purpose of reviewing the status of Respondent's Privilege License to operate as an Insurance Producer in the State of Mississippi, and to revoke any current producer licenses the Respondent may hold.

### II.

That said Notice of Hearing and Statement of Charges was served on Respondent by certified mail in accordance with Miss. Code Ann. § 83-17-519 (Supp. 2007), at the address Respondent provided to the Licensing Division of the Mississippi Department of Insurance. Ms. Mason requested an expedited hearing, therefore, the matter was set without providing twenty (20) days notice.

### III.

That pursuant to said Notice, a hearing was scheduled before the Commissioner of Insurance of the State of Mississippi, for 10:00 a.m., on Thursday, January 14, 2008.

## FINDINGS OF FACT

**AFTER CONSIDERING** all of the evidence presented, the Commissioner of Insurance makes the following Findings of Fact:

### IV.

The Respondent did fail to be properly licensed as a public adjuster prior to her acting as a public adjuster in the State of Mississippi. However, her failure to be properly licensed is mitigated by the fact that Respondent did submit for and receive an independent adjusters license. It is the finding of the Commissioner that Respondent's failure to be properly licensed was not intentional. Therefore, while the charge is sustained, the Commissioner finds that Respondent's license to act as an independent adjuster be revoked, and she should be issued a public adjuster license upon the Respondent meeting certain conditions as prescribed below.

## CONCLUSIONS OF LAW

**IN LIGHT OF THE AFOREMENTIONED** Findings of Fact, the Commissioner of Insurance makes the following findings regarding Respondent, Lacey Mason:

### V.

That the Respondent, Lacey Mason, has unintentionally violated the provisions of Miss. Code Ann. §§ 83-17-503 and 83-17-519 (Supp. 2007) and Regulation 2007-4, by acting as a public adjuster without first receiving the proper license, as has been more particularly described herein in Paragraphs IV. of this Order, and these charges are **SUSTAINED**.

### VI.

The Commissioner finds that the Respondent is not found to be untrustworthy or incompetent, therefore those charges are **DISMISSED**.

**ORDER**


**IT IS, THEREFORE, ORDERED** as follows:

- The charge that Respondent, Laceyne Mason, violated Miss. Code Ann. §83-17-519(1)(d) shall be **DISMISSED**.
- The charge that the Respondent violated Miss. Code Ann. §§ 83-17-503; 83-17-519(1)(h); and Regulation 2007-4 shall be **SUSTAINED**.

**IT IS FURTHER ORDERED**, that Respondent's application to act as a public adjuster shall be issued forthwith upon the following conditions:

1. The Respondent shall return and forfeit her independent adjusters license, Privilege License Number 10088047 immediately;
2. The Respondent shall not work for any public adjusting firm that is not licensed by the Department of Insurance; and,
3. Any solicitation materials and contracts to be used by the Respondents shall have to first be approved by the Department of Insurance prior to use.

**SO ORDERED**, this the 31<sup>st</sup> day of January, 2008.

  
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**MIKE CHANEY**  
**COMMISSIONER OF INSURANCE**  
**STATE OF MISSISSIPPI**

Report and Recommendation Submitted by:

  
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**AARON SISK**  
**HEARING OFFICER**