

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

COMMISSIONER OF INSURANCE

PETITIONER

VS.

CAUSE NO. 06-5399-1

CLAUDE LEE COLLINS

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 Wednesday, August 6, 2008, at 10:00 a.m. on the Notice of Hearing and Statement of Charges filed against Claude Lee Collins ("Respondent"), to hear evidence concerning said complaint. Having received notice of the hearing, the Respondent, or a representative of Respondent, failed to appear and give testimony. Therefore, based upon the evidence, the Commissioner makes the following Findings of Fact and Conclusions of Law, to-wit:

STATEMENT OF CHARGES

The Respondent was charged with the following violations of law in the Notice of Hearing and Statement of Charges issued July 2, 2008:

- Miss. Code Ann. Section 83-17-71(1)(a) that such insurance producer has provided incorrect, misleading, incomplete or materially untrue information in the license application.

- Miss. Code Ann. Section 83-17-71(1)(b) that such insurance producer has violated any insurance laws, or violated any regulation, subpoena or order of the commissioner.
- Miss. Code Ann. Section 83-17-71(1)(c) that such insurance producer has obtained or attempted to obtain a license through misrepresentation or fraud.
- Miss. Code Ann. Section 83-17-71(4) provides that the Commissioner of Insurance may in addition to, or in lieu of, the remedies provided in this section, after a hearing, impose an administrative fine of not more than One Thousand Dollars (\$1,000.00) per violation.

NOTICE AND HEARING

I.

That on or about June 3, 2008, the Commissioner of Insurance of the State of Mississippi, or his appointee, pursuant to Miss. Code Ann. § 83-17-71(2)(Supp. 2007), notified the Respondent of his decision to deny the Respondent's application for a legal license. The Respondent did submit a written request for a hearing on said denial within the statutory time frame.

II.

That on or about July 2, 2008, the Commissioner of Insurance of the State of Mississippi, or his appointee, pursuant to Miss. Code Ann. § 83-17-71 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.

III.

That said Notice of Hearing and Statement of Charges was sent to Respondent by certified mail, return receipt requested, in accordance with Miss. Code Ann. § 83-17-71 (Supp. 2007), at the

address Respondent provided to the Licensing Division of the Mississippi Department of Insurance. Records show that Respondent received the Notice on July 8, 2008.

IV.

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 Wednesday, August 6, 2008.

V.

That Respondent, Claude Lee Collins, failed to appear and give testimony.

FINDINGS OF FACT

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

VI.

The Respondent did on March 25, 2008, submit an application for a legal license. In this license application, the Respondent responded "no" to the question "[h]as the applicant ever been licensed in another state in the past five years. According to the National Association of Insurance Commissioners, Respondent is licensed in multiple states.

Additionally, Respondent in his application responded "no" to the question "[h]as applicant ever been refused or had suspended or revoked a privilege license in this state or another state?" In actuality, the Respondent had been a party to an previous administrative action by the Department in which the Respondent's application to act as an insurance producer was denied for violations of the Mississippi Insurance Code. Furthermore, the Respondent had been a party to an administration action taken by the Alabama Department of Insurance concerning his actions in that state.

CONCLUSIONS OF LAW

IN LIGHT OF THE AFOREMENTIONED Findings of Fact, the Commissioner of Insurance finds that Respondent, Claude Lee Collins, has committed the following violations:

VII.

The Respondent violated the provisions of Miss. Code Ann. §83-17-71(1)(a) (Supp. 2007), by providing incorrect, misleading, incomplete or materially untrue information in the license application, as more particularly described herein in Paragraph VI. of this Order.

VIII.

The Respondent violated the provisions of Miss. Code Ann. § 83-17-71(1)(b) (Supp. 2007), by violating any insurance laws, or any regulation, subpoena or order of the commissioner, or of the commissioner of any other state, in the commission of the acts that have been more particularly described herein in Paragraph VI. of this Order.

IX.

The Respondent violated the provisions of Miss. Code Ann. § 83-17-71(1)(c) (Supp. 2007), by attempting to obtain a license through misrepresentation or fraud, in the commission of acts that have been more particularly described herein in Paragraph VI. of this Order.

ORDER


IT IS, THEREFORE, ORDERED that the charges previously filed herein against the Respondent, Claude Lee Collins, should be and the same are hereby sustained.

IT IS ORDERED, the license application of Respondent, Claude Lee Collins, to act as an insurance producer in the State of Mississippi is hereby **DENIED**.

IT IS FURTHER ORDERED that an administrative fine shall be levied against the Respondent in the amount of Five Hundred Dollars (\$500.00).

Should the Respondent wish to appeal the Order of the Commissioner, he may follow the procedure set forth in Miss. Code Ann. § 83-17-83 (Supp. 2007).

SO ORDERED, this the 9th day of August, 2008.


MIKE CHANEY
COMMISSIONER OF INSURANCE
STATE OF MISSISSIPPI