

**BEFORE THE MISSISSIPPI INSURANCE DEPARTMENT
STATE OF MISSISSIPPI**

**IN RE: CALVIN WILSON D/B/A KELVON TRANSPORTERS
INSTALLER / TRANSPORTER LICENSE NO. 15018029**

ADMINISTRATIVE ORDER

THIS MATTER came on for hearing before the Commissioner of Insurance of the State of Mississippi (hereinafter “Commissioner”), by and through his specially designated appointee, the Hon. Phillips Strickland (hereinafter “Hearing Officer”), in the Office of the Commissioner, 10th Floor, Woolfolk State Office Building, 501 North West Street, Jackson, MS 39205, on Wednesday, August 17, 2016, at 10:00 a.m., pursuant to a Notice of Hearing and Statement of Charges brought against **CALVIN WILSON D/B/A KELVON TRANSPORTERS** (“Respondent”). Respondent was properly served with notice of the hearing. Respondent was present at a prior setting of this matter, at which time Respondent requested a continuance, and continuance to the date of this hearing was announced in his presence. Respondent did not appear at or participate in the instant hearing, and was found in default.

FINDINGS OF FACT

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

A) For twenty-one (21) installations completed by Respondent which occurred during the months of approximately February 2013 through October 2015, Respondent was provided the inspector’s written explanation with reasons why the inspector could not approve the installation, and Respondent then failed to correct the defects found during the inspection and did not return the signed and notarized affidavit(s) to the State Fire Marshal’s Office indicating that

all the listed defects had been corrected within the twenty (20) calendar day period as required by law and regulation.

(B) On multiple occasions during the years 2014 and 2015, Respondent failed to timely pay installation inspection fees due to the State Fire Marshal's Office for home installations Respondent completed. As of the date of the hearing of this matter, the total amount of unpaid and delinquent inspection fees by Respondent is Three Thousand Five Hundred and Ninety Five Dollars (\$3,595), which amounts to at least twenty-two (22) separate instances of failing to pay the required \$160 installation inspection fee as required by law and regulation.

(C) Respondent's business practices and treatment of his customers evidences a lack of honesty, trustworthiness, integrity and competency necessary to transact business in a manner necessary to safeguard the interest of the public. The Respondent has repeatedly failed to perform contracted moves within a reasonable amount of time, and has failed to properly respond to and cure installation defects. Respondent has also failed to perform in a professional manner in his dealings with the State Fire Marshal's Office, failed to attend meetings, failed to return telephone calls, and failed to comply with the rules and regulations for his industry. Furthermore, on at least one occasion since Respondent's entry into the business of installing and transporting mobile homes, he has allowed his license to lapse and continued installing and transporting factory-built homes while not having a valid license.

CONCLUSIONS OF LAW

In light of the aforementioned findings of fact, the Commissioner makes the following conclusions of law:

(A) Respondent has committed twenty-one (21) separate violations of *19 Miss. Admin Code Part 7, Chapter 5, Rule 5.02.4-2 (Procedures for Re-inspection Upon Failure to Pass)*.

(B) Respondent has committed twenty-two (22) separate violations of *Miss. Code §75-49-9(11) and 19 Miss. Admin Code Part 7, Chapter 5, Rule 5.02.3-2 (Inspection Fees)*.

(C) Sufficient grounds exist for the revocation of Respondent's license pursuant to *Miss. Code Ann. §§ 75-49-9 and 75-49-13, as well as 19 Miss. Admin Code Part 7, Chapter 5, Rules 5.02.4-10 and Rule 5.03.5*.

ORDER

IT IS, THEREFORE, ORDERED AND ADJUDGED as follows:

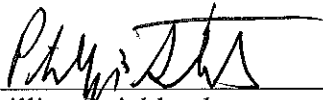
(1) The Installer/Transporter License held by the Respondent, CALVIN WILSON D/B/A KELVON TRANSPORTERS, being license number 15018029, should be and hereby is revoked and denied. The Respondent is directed to cease and refrain from engaging in the transportation or installation of a factory-built home intended to be used for human habitation, until such time in the future as he may obtain a license from the Commissioner of Insurance for the State of Mississippi as required by *Miss. Code § 75-49-9 (Supp. 2015)*. Furthermore, Respondent is directed to remove from display any signs or other advertisements which could mislead a consumer into believing he is still conducting business as an Installer / Transporter of Factory Built Homes.

(2) Respondent, CALVIN WILSON D/B/A KELVON TRANSPORTERS, is indebted to the Mississippi State Fire Marshal's Office, a Division of the Mississippi Insurance Department, in the amount of \$3,595 for outstanding and delinquent factory built home inspection fees, which is now due and payable.

(3) Respondent, CALVIN WILSON D/B/A KELVON TRANSPORTERS should be and hereby is assessed an administrative fine in the amount of \$5,000, pursuant to the provisions of *Miss. Code § 75-49-19 (Supp. 2015)*, which is now due and payable.

(4) Respondent, CALVIN WILSON D/B/A KELVON TRANSPORTERS, is further directed to complete all the delinquent Affidavit / Correction Statements that are due from the Respondent (which should include the actual correction of all deficiencies). All of such deficiencies shall be corrected and documentation provided to the Mississippi State Fire Marshal's Office as soon as practical, but no later than November 1, 2016. Although Respondent is not authorized to engage in any new business, he is authorized to take the limited actions necessary to correct the outstanding installation deficiencies.

SUBMITTED BY:


Phillips Strickland
Hearing Officer

PREPARED BY:


MARK LAMPTON
Special Assistant Attorney General
Mississippi Department of Insurance

SO ORDERED AND ADJUDGED, this the 17th day of August 2016.


MIKE CHANEY
COMMISSIONER OF INSURANCE