

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

**IN RE: CHARLES LEE TRIPLETT
 D/B/A TRIPLETT MOBILE HOME TRANSPORT
 INSTALLER/TRANSPORTER LICENSE # 15024705**

FINAL 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”), via teleconference on Wednesday, July 7, 2021, at 10:00 a.m., relating to the Notice of Hearing and Statement of Charges brought against Charles Lee Triplett d/b/a Triplett Mobile Home Transport (“Respondent”) dated June 1, 2021. Respondent received notice of the hearing, as evidenced by proof of delivery via United States Mail, Certified Mail, to his address of record (Ex. S-6), as well as by personal delivery (Ex. S-5). The Respondent failed to attend and participate in the hearing, and was in default. The Commissioner, based on the evidence presented at the hearing, which included the testimony of witnesses and the presentation of documentary evidence, makes the following findings of fact and conclusions of law by clear and convincing evidence:

FINDINGS OF FACT

1. On or about October 21, 2020, Respondent, Charles Lee Triplett d/b/a Triplett Mobile Home Transport did transport and install a factory built home owned by William E. Carroll, at a location on 7440 County Road 200, Faulkner, Mississippi. Respondent did fail to submit the required Property Locator / Certificate of Installation form to the Factory-Built Home Division of the State Fire Marshal’s Office (SFMO) within the time allowed for said installed home(s), pursuant to *19 Miss. Admin Code Part 7, Chapter 5, Rule 5.02.1-18 and Rule 5.02.3-1 (Scheduling*

of the Inspection).

2. On or about October 21, 2020, Respondent, Charles Lee Triplett d/b/a Triplett Mobile Home Transport did transport and install a factory built home owned by William E. Carroll, at a location on 7620 County Road 200, Faulkner, Mississippi. Respondent did fail to submit the required Property Locator / Certificate of Installation form to the Factory-Built Home Division of the State Fire Marshal's Office (SFMO) within the time allowed for said installed home(s), pursuant to *19 Miss. Admin Code Part 7, Chapter 5, Rule 5.02.1-18 and Rule 5.02.3-1 (Scheduling of the Inspection).*

3. State Fire Marshal Deputy Shannon Gunter testified that, upon delivery of the Notice of Hearing and Statement of Charges to Respondent on June 3, 2021, Respondent verbally acknowledged that he was delinquent in turning in the Property Locator / Certificate of Inspection forms, and asserted that he would get it all caught up, however, as of the time of the hearing herein, Respondent has failed to provide the forms for these installations. There was further testimony by both Deputy Shannon Gunter and Division Director Timothy Fagerburg, that the Respondent has established a pattern and practice over several years of failing to submit the required Property Locator / Certificate of Installation forms as required by law, and also that Respondent has routinely failed to pay the associated and required installation inspection fees as required by law and regulation. The failures of the Respondent in this regard have prevented the efficient and timely inspections of newly installed factory-built homes, and have frustrated the State's policy of promoting the safety of persons and property and the protection of the health of users of factory-built homes.

CONCLUSIONS OF LAW

4. Respondent, Charles Lee Triplett d/b/a Triplett Mobile Home Transporter, is guilty

of two separate violations of Miss. Code §75-49-19(1) (Supp. 2020), by virtue of its failures to timely submit the required Property Locator / Certificate of Installation form to the Factory-Built Home Division of the State Fire Marshal's Office, as required by *19 Miss. Admin Code Part 7, Chapter 5, Rule 5.02.1-18 and Rule 5.02.3-1 (Scheduling of the Inspection)*..

5. That during the period of time that Respondent held a Mississippi license to operate as a Manufactured Home Retailer/Installer, the Respondent has failed to act with trustworthiness, integrity and competency in transacting its business, and has failed to meet the requirements for licensure as set forth in *Miss. Code § 75-49-9(7) (Supp. 2020)*. It would be in the best interest of the public that Respondent's license be revoked.

ORDER

IT IS, THEREFORE, ORDERED as follows:

1. That the Mississippi Installer / Transporter License No. 15024705 issued to Respondent, Charles Lee Triplett d/b/a Triplett Mobile Home Transporter, should be, and hereby is **REVOKED**, and any pending license renewal application received for the licensing year starting July 1, 2021 is hereby **DENIED**. Additionally, **a civil penalty is hereby assessed against Respondent in the amount of Two Thousand Dollars (\$2,000)**, which is due and payable immediately.

2. That the Revocation and Denial of Respondent's license is hereby **SUSPENDED for a period of thirty (30) days**, to allow Respondent an opportunity to cure his deficiencies by taking the following steps:

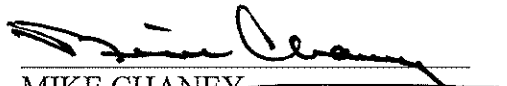
- a. Pay the civil penalty of \$2,000 in full;
- b. Turn in all outstanding and delinquent Property Locator / Certificate of Installation forms to the Office of the State Fire Marshal, identifying all factory-built homes that have been installed by Respondent;

- c. Pay all outstanding and overdue Installation / Inspection fees that are due from the Respondent to the State Fire Marshal's Office.
- d. If Respondent fails to cure all of the above stated deficiencies within 30 days from the date of this Order, then the revocation and denial of his license shall immediately take effect without the need for further hearing. If the Respondent does satisfactorily cure his deficiencies by accomplishing the steps set forth herein, then his license shall not be revoked, but shall be in a probationary status for the licensure period of July 1, 2021 through June 30, 2022.

3. Upon the effective date of revocation and denial of Respondent's license, 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 it may obtain a license from the Commissioner of Insurance for the State of Mississippi as required by § 75-49-9 of the Mississippi Code of 1972, as amended. Respondent is directed to remove from display any signs or other advertisements which could mislead a consumer into believing it is still conducting business as an Installer/Transporter of Factory Built Homes.

4. It is noted that because the Respondent failed to appear for the hearing herein, and was in default, that Respondent has no right to appeal the Order of the Commissioner, as per the provisions of § 75-49-13(6) of the Mississippi Code of 1972, as Amended.

SO ORDERED, this the 7th day of July, 2021.


MIKE CHANEY
COMMISSIONER OF INSURANCE

Recommended by:


Phillips Strickland
Hearing Officer