

MISSISSIPPI DEPARTMENT OF INSURANCE

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RESPONDENT

VS.

CASE NO.: 19-7483

LEE MELVIN JACKSON

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, November 13, 2019, at 10:00 a.m., on the Notice of Hearing and Statement of Charges filed against Lee Melvin Jackson ("Respondent"), to hear evidence concerning the denial of Respondent's insurance producer's application. Having received notice of the hearing, the Respondent appeared and gave testimony. Kimberly Causey, Special Assistant Attorney General, represented the Department. Hearing Officer Christina Kelsey 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:

AUTHORITY

Miss. Code Ann. §83-17-71(1) and 83-17-71(2) (Rev. 2011), provides that the Commissioner of Insurance may place on probation, suspend, revoke or refuse to issue or renew an insurance producer's license if, after notice to the applicant or licensee and to the insurer represented, if applicable, and hearing, said Commissioner finds the applicant or licensee has committed a violation or violations of any one or more of the following provisions:

1. Miss. Code Ann. Section 83-17-71(1)(d) that such insurance producer has improperly withheld, misappropriated or converted any monies or properties received in the course of doing insurance business, as will be more particularly described herein.
2. Miss. Code Ann. Section 83-17-71(1)(h) that such insurance producer has used fraudulent, coercive or dishonest practices or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business, as will be more particularly described herein.

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 October 18, 2019, 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 Respondent's license application to act as an insurance producer in this state.

II.

That said Notice of Hearing and Statement of Charges was served on Respondent via certified mail.

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 Wednesday, November 13, 2019. The Respondent appeared and gave testimony and evidence.

FINDINGS OF FACT

AFTER CONSIDERING all of the evidence presented, including the Findings and Recommendations of the Hearing Officer, which is hereby made part of this Order, the Commissioner of Insurance makes the following Findings of Fact:

IV.

The Respondent violated the provisions of Miss. Code Ann. §83-17-71(1)(d)(Rev. 2011), by failing to forward a money order to the insurance company as required by law. It is the finding of the Commissioner of Insurance that he is in violation of Miss. Code Ann. Section 83-17-71(1)(d).

V.

The Respondent violated the provisions of Miss. Code Ann. § 83-17-71(1) (h) (Rev. 2011) by failing to forward a money order to the insurance company, as required by law. It is the finding of the Commissioner of Insurance that he is in violation of Miss. Code Ann. Section 83-17-71(1)(h).

CONCLUSIONS OF LAW

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

VII.

Miss. Code Ann. § 83-17-71(1)(d) in that the Respondent has improperly withheld, misappropriated or converted any monies or properties received in the course of doing insurance business, as has been more particularly described herein in Paragraph IV. of this Order.

VIII.

Miss. Code Ann. Section 83-17-71(1)(h) that the Respondent producer has used fraudulent, coercive or dishonest practices or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business, in the commission of the acts that have been more particularly described herein in Paragraph VI. of this Order.

JUDGMENT

IT IS THEREFORE ORDERED that the Respondent, Lee Melvin Jackson, is hereby placed on probation for a period of one (1) year. Should the Respondent violate any provision of the Insurance Code, the Department may issue a Cease and Desist Order against the Respondent, requiring him to cease all activities as an insurance producer until such time as a hearing may be held.

FURTHERMORE, IT IS THEREFORE ORDERED that the Respondent be fined a Five Hundred Dollar (\$500.00) penalty, to be paid on or before December 31, 2019.


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. 2011).

SO ORDERED, this the 21st day of November, 2019.



MIKE CHANEY
COMMISSIONER OF INSURANCE
STATE OF MISSISSIPPI

Report and Recommendation Submitted by:



CHRISTINA KELSEY
HEARING OFFICER