# DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT DIVISION OF INSURANCE 550 W. 7\* AVENUE SUITE 1560 ANCHORAGE, ALASKA 99513-3567 PHONE: 907) 269-7900

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

### STATE OF ALASKA

# DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT

## DIVISION OF INSURANCE

550 W. 7th AVENUE, SUITE 1560 ANCHORAGE, ALASKA 99501-3567

Order No. LD23-05
In the Matter of
CHARLES FRANCIS PERKS
NPN# 129187

Denial Pursuant to AS 21.27.440

Denial Pursuant to AS 21.27.440

# ACCUSATION AND FINAL ORDER

Lori Wing-Heier, Director of the Division of Insurance (Division), Department of Commerce, Community, and Economic Development (DCCED), State of Alaska, states the issues on which the accusation is based as follows:

- On February 15<sup>th</sup>, 2023, CHARLES FRANCIS PERKS (PERKS)
   domiciled in the State of Florida applied for an Insurance Producer license
   with Life and Health authority with the Division.
- Upon review of the initial application, PERKS responded negatively to background question 2, indicating no administrative actions to report to the State of Alaska.

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- 3. The Producer Database and the Attachment Warehouse reflects administrative action was taken against PERKS in State of Florida in effect on July 15<sup>th</sup>, 1996, September 4<sup>th</sup>, 1996, and February 17<sup>th</sup>, 1998, State of Alabama in effect July 30<sup>th</sup>, 2008, State of Wisconsin in effect on July 25<sup>th</sup>, 2008, and State of Maine in effect September 4<sup>th</sup>, 2008. PERKS failed to disclose his administrative actions to the Division and provided misstatement on his application.
- 4. On February 17<sup>th</sup>, 2023, correspondence was provided to PERKS informing of his failure to respond accurately to a background question of his administrative actions. In the same correspondence the Division listed all required documents to be submitted. The Division also provided PERKS the opportunity to voluntarily withdraw the application and provide a new, complete, and accurate application within 15 days. No response was received.
- On March 22<sup>nd</sup>, 2023, through his authorized submitter the Division received correspondence requesting status of PERKS application.
- On March 23<sup>rd</sup>, 2023, the Division responded to the inquiry and stated all
  the missing required documentation as requested in Paragraph 5. No
  response was received.
- 7. On June 7<sup>th</sup>, 2023, PERKS authorized submitter reached back to the Division asking for update on PERKS' application. PERKS and the authorized submitter did not provide the documentation required, and did

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not respond to the voluntary withdrawal opportunity, resulting in formal denial steps taken by the Division.

- 8. On June 9<sup>th</sup>, 2023, the Division erroneously approved PERKS application. On the same day the Division changed PERKS status from active to inactive. The Division responded to PERKS and provided the opportunity to voluntarily withdraw the application and provide a new, complete, and accurate application within 15 days. No response was received.
- 9. AS 21.27.040(a) states that "(a) Application for a license shall be made to the director upon forms prescribed by the director. As a part of or in connection with the application, the applicant shall furnish information concerning the applicant's identity, personal history, experience, business record, purposes, and other pertinent facts that the director may reasonably require. The applicant shall declare, subject to penalty of denial, nonrenewal, suspension, or revocation of a license issued by the director, that the statements made in or in connection with the application are true, correct, and complete to the best of the applicant's knowledge and belief..."
- 10. AS 21.27.020(a) provides: "For the protection of the people of this state, the director may not issue or renew a license except in compliance with this chapter and not issue a license to a person, or to be exercised by a person, found by the director to be untrustworthy, incompetent, or who

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