



**State of Tennessee**  
**Department of State**  
Administrative Procedures Division  
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**July 31, 2020**

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Jamal Jevan Bolden, Sr.  
PO Box 14454  
Haltom City, TX 76117-0454

**RE: TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE V. JAMAL  
JEVAN BOLDEN, SR., APD Case No. 12.01-200321J**

Enclosed is a/an *IO OF DEFAULT AND DISMISSAL* rendered in this case.

Administrative Procedures Division  
Tennessee Department of State

Enclosure(s)

**BEFORE THE COMMISSIONER OF THE TENNESSEE DEPARTMENT OF  
COMMERCE AND INSURANCE**

**IN THE MATTER OF:**

**TENNESSEE DEPARTMENT OF  
COMMERCE AND INSURANCE,**  
*Petitioner,*

**v.**

**JAMAL JEVAN BOLDEN, SR.,**  
*Respondent.*

**APD Case No. 12.01-200321J**

**INITIAL ORDER**

This matter came forward on June 22, 2020, before Mattielyn B. Williams, Administrative Judge, assigned by the Secretary of State, Administrative Procedures Division, sitting on behalf of the Commissioner of the Tennessee Department of Commerce and Insurance.

Associate General Counsel for the Department, Miles K. Brooks, represented the Tennessee Insurance Division (“Division”). Respondent Jamal Jevan Bolden, Sr. did not appear. No attorney appeared on Respondent’s behalf.

The Petitioner, pursuant to Tenn. Code Ann § 4-5-309, moved that the Respondent be held in default and that the hearing proceed in the absence of the Respondent.

The Petitioner presented evidence that the Respondent was notified of the charges against him and notified of the hearing date. More specifically, the Petitioner filed a Notice of Hearing and Charges on January 28, 2020. This matter was set for a hearing on June 22, 2020.

As shown in Exhibit 1, Respondent signed the green card, accepting the Notice of Charges, at PO Box 1444 Haltom City, Texas 76117-0454. As shown through Exhibit 2, the Petitioner and Respondent exchanged several e-mails, regarding the upcoming hearing.

The Undersigned determined that the State made a reasonable and adequate effort to notify the Respondent of the date and time for the hearing; the State's Motion for Default was **GRANTED**.

**NOTICE OF DEFAULT**

NOTICE IS HEREBY GIVEN THE RESPONDENT THAT THE RESPONDENT HAS BEEN HELD IN DEFAULT FOR THE RESPONDENT'S FAILURE TO APPEAR AT A HEARING ON THE MERITS AFTER RECEIVING ADEQUATE NOTICE. T.C.A. §4-5-309.

RESPONDENT HAS FIFTEEN (15) DAYS FROM THE EFFECTIVE DATE OF THIS ORDER TO REQUEST THAT THIS FINDING OF DEFAULT BE SET ASIDE. THIS REQUEST MUST BE RECEIVED IN THE OFFICE OF THE SECRETARY OF STATE, ADMINISTRATIVE PROCEDURES DIVISION, SUITE 800, WILLIAM R. SNODGRASS BUILDING, 312 ROSA L. PARKS AVENUE, NASHVILLE, TENNESSEE 37243, WITHIN THAT 15-DAY PERIOD. THE REQUEST TO HAVE THE FINDING OF DEFAULT SET ASIDE SHOULD INCLUDE THE REASONS TO JUSTIFY THE RESPONDENT'S FAILURE TO ATTEND. IF SUFFICIENT REASONS ARE GIVEN, THE ORDER MAY BE SET ASIDE AND A NEW HEARING SCHEDULED. IF THE RESPONDENT DOES NOT REQUEST THE DEFAULT TO BE SET ASIDE OR OTHERWISE APPEAL THE ACCOMPANYING INITIAL ORDER, THEN THE INITIAL ORDER WILL BECOME A FINAL ORDER SUBJECT TO COURT REVIEW. ANY QUESTIONS REGARDING THIS NOTICE OF DEFAULT OR THE STEPS NECESSARY TO HAVE IT SET ASIDE SHOULD BE SUBMITTED TO THE ADMINISTRATIVE JUDGE SIGNING THIS ORDER BY LETTER OR BY TELEPHONING (615) 741-4469.

Should good cause exist for Respondent's failure to appear/participate, Respondent may move to have the Default Set Aside within fifteen (15) days.

Pursuant to Rule 1360-04-01-.15(2)(b), the hearing was held on an uncontested basis.

### **FINDINGS OF FACT**

1. The Respondent worked as an agent for American Family Life Assurance Company (“Aflac”).
2. The Respondent wrote fraudulent policies for a business called “Bolden’s Commercial Cleaning Service” (BCCS). BCCS is Mr. Bolden’s personal business. The contact information listed on these policies contained incorrect phone numbers and addresses. The policyholders could not be verified.
3. The Respondent wrote fraudulent policies for Jack of All Fades. The contact information listed on these policies contained incorrect phone numbers and addresses. The policyholders could not be verified. This company does not exist.
4. The Respondent wrote fraudulent policies for Tony’s Barber Shop. Tony’s Barber Shop does not exist.
5. The Respondent wrote fraudulent policies for AJ’s Trucking Co.
6. The Respondent wrote fraudulent policies for S&T Janitorial Service. S&T Janitorial Service does not exist.
7. The Respondent wrote fraudulent policies for Nu Edge Barber Shop. Nu Edge Barber Shop does not exist.
8. The Respondent wrote fraudulent policies for Brent’s Lawn Service. Brent’s Lawn Service does not exist.
9. In total, the Respondent created two hundred sixty-two (262) fraudulent policies.
10. The Respondent received the commission for two hundred sixty-two (262) fraudulent policies.

11. The Respondent received forty-eight thousand, eight hundred one dollars and fifty-nine cents (\$48,801.59) in commissions due to his actions.

12. Aflac terminated the Respondent for cause, due to these actions, as shown in Exhibit 4.

13. The Respondent has not repaid the forty-eight thousand, eight hundred one dollars and fifty-nine cents (\$48,801.59) to Aflac.

### CONCLUSIONS OF LAW

1. In accordance with Rules 1360-04-01-.02(7) and 1360-04-01-.15(3), it is **CONCLUDED** that the Petitioner has shown, by a preponderance of evidence, that the facts alleged in the Notice of Hearing And Charges, pertaining to Respondent Jamal Jevan Bolden, Sr., are true and that the issues raised therein should be resolved in its favor.

2. Although the Court recognizes that Respondent's license expired prior to the commencement of this litigation, Tenn. Code Ann. § 56-6-112(e) specifically authorizes the present action and any penalty or remedy available under the Law.

3. Respondent purposefully created two hundred sixty-two (262) fraudulent insurance policies in order to receive advanced commissions. Purposefully creating a fake insurance policy for the purpose of receiving advanced commissions is a fraudulent and dishonest practice. It is **CONCLUDED** that this constitutes violations of Tenn. Code Ann. §§ 56-6-112(a)(5), 56-6-112(a)(7), and 56-6-112(a)(8).

4. The Petitioner has shown, by a preponderance of the evidence, that there are adequate grounds for the assessment of civil penalties against Respondent of one thousand dollars (\$1,000) for each of the violations of the Act as described above, i.e. an assessment of \$262,000.00, but such an amount would exceed the statutory maximum.

5. Therefore, it is **CONCLUDED** that the proof adduced at trial provides adequate grounds for the assessment of a civil penalty against Respondent in the total amount of **one hundred thousand dollars** (\$100,000.00), the maximum available civil penalty allowed under Tenn. Code Ann. § 56-6-112.

**IT IS THEREFORE, ORDERED** that:

1. Respondent Jamal Jevan Bolden, Sr. shall fully **COMPLY** with the Tennessee Insurance Law (Law), and all rules promulgated thereunder.

2. Respondent shall **CEASE AND DESIST** violations of the Law.

3. Respondent's Tennessee Insurance Producer license, number 2292261, is **REVOKED**.

4. The valuation of the civil penalty applicable to the Respondent be established in the amount of **one hundred thousand dollars** (\$100,000.00).

5. All persons in any way assisting, aiding, or helping the aforementioned Respondent in any of the aforementioned violations of the Law shall **CEASE AND DESIST** all such activities.


6. The costs of this action are assessed against the Respondent.

7. This Order shall not be interpreted in any manner that is in conflict with the automatic stay provisions of 11 U.S.C. § 362 of the federal bankruptcy code.


8. This Initial Order, imposing sanctions against Respondent is entered to protect the public and consumers of insurance products in the State of Tennessee, consistent with the purposes fairly intended by policy and provisions of the Law.

It is so **ORDERED**.

This INITIAL ORDER entered and effective this the **31st day of July, 2020**.

  
MATTIELYN B. WILLIAMS  
ADMINISTRATIVE JUDGE  
ADMINISTRATIVE PROCEDURES DIVISION  
OFFICE OF THE SECRETARY OF STATE

Filed in the Administrative Procedures Division, Office of the Secretary of State, this the **31st day of July, 2020**.

  
STEPHANIE SHACKELFORD, DIRECTOR  
ADMINISTRATIVE PROCEDURES DIVISION  
OFFICE OF THE SECRETARY OF STATE

## **NOTICE OF FILING PROCEDURES**

Due to the COVID-19 pandemic, APD has changed its filing procedures. Until further notice, filings should be made by **email** to [APD.Filings@tn.gov](mailto:APD.Filings@tn.gov) or by **facsimile** to 615-741-4472. Paper filings should only be made by mail if a litigant has no access to either email or facsimile. If you are filing by email, documents should be saved in PDF format prior to filing. Each document to be filed must be a separate PDF. Only one filing method should be used. Please name PDFs for filing in the following format:

“APD CASE NUMBER YOUR NAME ABBREVIATED NAME OF DOCUMENT BEING FILED AGENCY NAME”



**NOTICE OF APPEAL PROCEDURES**

**REVIEW OF INITIAL ORDER**

The Administrative Judge's decision in your case **BEFORE THE COMMISSIONER OF THE TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE (COMMISSIONER)**, called an Initial Order, was entered on **July 31, 2020**. The Initial Order is not a Final Order but shall become a Final Order unless:

1. **A Party Files a Petition for Reconsideration of the Initial Order:** You may ask the Administrative Judge to reconsider the decision by filing a Petition for Reconsideration. Mail to the Administrative Procedures Division (APD) a document that includes your name and the above APD case number, and states the specific reasons why you think the decision is incorrect. The APD must receive your written Petition no later than 15 days after entry of the Initial Order, which is no later than **August 17, 2020**. A new 15 day period for the filing of an appeal to the **COMMISSIONER** (as set forth in paragraph (2), below) starts to run from the entry date of an order disposing of a Petition for Reconsideration, or from the twentieth day after filing of the Petition if no order is issued.

The Administrative Judge has 20 days from receipt of your Petition to grant, deny, or take no action on your Petition for Reconsideration. If the Petition is granted, you will be notified about further proceedings, and the timeline for appealing (as discussed in paragraph (2), below) will be adjusted. If no action is taken within 20 days, the Petition is deemed denied. As discussed below, if the Petition is denied, you may file an appeal. Such an Appeal must be received by the APD no later than 15 days after the date of denial of the Petition. *See* TENN. CODE ANN. §§ 4-5-317 and 4-5-322.

2. **A Party Files an Appeal of the Initial Order:** You may appeal the decision to the **COMMISSIONER**. Mail to the APD a document that includes your name and the above APD case number, and states that you want to appeal the decision to the **COMMISSIONER**, along with the specific reasons for your appeal. The APD must receive your written Appeal no later than 15 days after the entry of the Initial Order, which is no later than **August 17, 2020**. The filing of a Petition for Reconsideration is not required before appealing. *See* TENN. CODE ANN. § 4-5-317.
3. **The COMMISSIONER decides to Review the Initial Order:** In addition, the **COMMISSIONER** may give written notice of the intent to review the Initial Order, within 15 days after the entry of the Initial Order.

If either of the actions set forth in paragraphs (2) or (3) above occurs prior to the Initial Order becoming a Final Order, there is no Final Order until the **COMMISSIONER** renders a Final Order.

If none of the actions in paragraphs (1), (2), or (3) above are taken, then the Initial Order will become a Final Order. **In that event, YOU WILL NOT RECEIVE FURTHER NOTICE OF THE INITIAL ORDER BECOMING A FINAL ORDER.**

**STAY**

In addition, you may file a Petition asking the Administrative Judge for a stay that will delay the effectiveness of the Initial Order. A Petition for a stay must be received by the APD within 7 days of the date of entry of the Initial Order, which is no later than . *See* TENN. CODE ANN. § 4-5-316.

**NOTICE OF APPEAL PROCEDURES**

**REVIEW OF A FINAL ORDER**

1. **A Party may file a Petition for Reconsideration of the Final Order:** When an Initial Order becomes a Final Order, a party may file a Petition asking for reconsideration of the Final Order. Mail to the Administrative Procedures Division (APD) a document that includes your name and the above APD case number, and states the specific reasons why you think the Final Order is incorrect. If the Initial Order became a Final Order without an Appeal being filed, and without the **COMMISSIONER** deciding to modify or overturn the Initial Order, the Administrative Judge will consider the Petition. If the **COMMISSIONER** rendered a Final Order, the **COMMISSIONER** will consider the Petition. The APD must **receive** your written Petition for Reconsideration no later than 15 days after: (a) the issuance of a Final Order by the **COMMISSIONER**; or (b) the date the Initial Order becomes a Final Order. If the Petition is granted, you will be notified about further proceedings, and the timeline for appealing the Final Order will be adjusted. If no action is taken within 20 days of filing of the Petition, it is deemed denied. *See* TENN. CODE ANN. § 4-5-317.
2. **A Party Files an Appeal of the Final Order:** A person who is aggrieved by a Final Order in a contested case may seek judicial review of the Final Order by filing a Petition for Review “in the Chancery Court nearest to the place of residence of the person contesting the agency action or alternatively, at the person’s discretion, in the chancery court nearest to the place where the cause of action arose, or in the Chancery Court of Davidson County,” within 60 days of (a) the date of entry of a Final Order; or (b) the date the Initial Order becomes a Final Order. *See* TENN. CODE ANN. § 4-5-322. The filing of a Petition for Reconsideration is not required before appealing. *See* TENN. CODE ANN. § 4-5-317. A reviewing court also may order a stay of the Final Order upon appropriate terms. *See* TENN. CODE ANN. §§ 4-5-322 and 4-5-317.
3. **A Party may request a stay of the Final Order:** A party may file a Petition asking for a stay that will delay the effectiveness of the Final Order. If the Initial Order became a Final Order without an Appeal being filed, and without the **COMMISSIONER** deciding to modify or overturn the Initial Order, the Administrative Judge will consider the Petition. If the **COMMISSIONER** rendered a Final Order, the **COMMISSIONER** will consider the Petition. A Petition for a stay of a Final Order must be **received** by the APD within 7 days after the Initial Order becomes a Final Order. *See* TENN. CODE ANN. § 4-5-316.

**FILING**

To file documents with the Administrative Procedures Division, use this address:

Secretary of State  
Administrative Procedures Division  
William R. Snodgrass Tower  
312 Rosa L. Parks Avenue, 8<sup>th</sup> Floor  
Nashville, TN 37243-1102  
Fax: (615) 741-4472