



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

TENNESSEE INSURANCE DIVISION)	
Petitioner,)	
)	
v.)	MATTER No. 21-00021
)	
TIMOTHY E. BENNETT)	
Respondent.)	

ORDER OF SUMMARY SUSPENSION

This Order issues as the result of a Petition for Order of Summary Suspension requested by the Insurance Division of the Tennessee Department of Commerce and Insurance (“Division”) against Timothy E. Bennett (“Respondent”). This Order is predicated upon the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Respondent was assigned National Insurance Producer Number 5938219 by the National Insurance Producer Registry (“NIPR”), a service of the National Association of Insurance Commissioners (“NAIC”).

2. The Respondent is a licensee of the Division holding Tennessee Resident Insurance Producer License Number 700447, which was originally granted on or about February 28, 1989, and is responsible for being compliant with the Law and regulations of the State of Tennessee.

3. From at least January of 2019 until about February of 2022, Respondent worked as an insurance producer for a Tennessee insurance business owned by Johnny Jackson, which operated under various names including Senior Health and Wealth Management LLC, Senior Health and Wealth Marketing LLC, and All Things Advisory Group PLLC.

4. The Respondent's employer, Johnny Jackson, is a former Tennessee insurance producer whose license was permanently revoked by the Division in 1999.

5. On or about October 5, 2023, a grand jury for the Criminal Court in Sumner County, Tennessee returned an indictment against the Respondent, his employer Johnny Jackson, and multiple alleged co-conspirators alleging multiple offenses including conspiracy to commit money laundering and identity theft.

6. Between January of 2019 until about February of 2022, the Respondent participated in a scheme to defraud multiple persons aged over seventy (70) years old by submitting unauthorized applications for insurance for multiple people to numerous individual companies. As part of this scheme, the Respondent, who is a licensed insurance producer, allowed his employer to act as if he were also a licensed insurance producer when his employer was not licensed to do so.

7. Between about January, 2021 and February 2022, by submitting unauthorized applications for insurance, the Respondent used the identities of approximately twenty-five (25) Tennessee residents without their permission; Elaine Belcher, Margaret Campbell, Larry Campbell, Elizabeth Crawford, Lisa Justice, Irene Dacosta, Billy Warren, Sarah Warren, Irene Pimental, Norma Volner, Tim Hale, Rodger Fox, Betty Fox, Wilma, Mamie Shelton, Linda Chase, Verna White, Willie J. White, Gloria Button, Sara Loehle, Patsy Simpson, Joyce Holland, Margaret Swann, Jerry Swann, Marilyn Massengale, and Barbara Brewer.

8. At various points during the course of the conspiracy the Respondent was paid commissions from insurance companies as a result of fraudulent insurance applications submitted by his employer, Johnny Jackson.

9. The public health, safety, and welfare imperatively requires this emergency action which is necessary for the protection of Tennessee insurance consumers, pursuant to TENN. CODE ANN. § 4-5-320(c). In addition, prior notice to the Respondent of this Order of Summary Suspension is not in the public interest and detrimental to the protection of Tennessee insurance consumers.

CONCLUSIONS OF LAW

10. At all times relevant hereto, TENN. CODE ANN. § 4-5-320(c) has provided:

...If the agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary action, including suspension of a license or other licensure restriction or action as may be appropriate to protect the public, may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

11. At all times relevant hereto, TENN. CODE ANN. § 56-6-112(a) has provided:

(a) The commissioner may place on probation, suspend, revoke, or refuse to issue or renew a license issued under Title 56, Part 6, Chapter 1, or issue a civil penalty for any one (1) or more of the following reasons:

...

(2) Violating any law, rule, regulation, subpoena or order of the commissioner or of another state's commissioner;

...

(8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere;

(10) Forging another's name to an application for insurance or to any document related to an insurance transaction;

12. For all violations occurring on or after July 1, 2011, TENN. CODE ANN. § 56-6-112 states:

...

(e) The commissioner shall retain the authority to enforce this part and impose any penalty or remedy authorized by this part and this title against any person who is under investigation for or charged with a violation of this part or this title, even if the person's license has been surrendered or has lapsed by operation of law.

...

(g) If . . . the commissioner finds that any person required to be licensed, permitted, or authorized by the division of insurance pursuant to this chapter has violated any statute, rule or order, the commissioner may, at the commissioner's discretion, order:

(1) The person to cease and desist from engaging in the act or practice giving rise to the violation;

(2) Payment of a monetary penalty of not more than one thousand dollars (\$1,000) for each violation, but not to exceed an aggregate penalty of one hundred thousand dollars (\$100,000). This subdivision (g)(2) shall not apply where a statute or rule specifically provides for other civil penalties for the violation. For purposes of this subdivision (g)(2), each day of continued violation shall constitute a separate violation; and

(3) The suspension or revocation of the person's license.

(h) In determining the amount of penalty to assess under this section, the commissioner shall consider:

(1) Whether the person could reasonably have interpreted such person's actions to be in compliance with the obligations required by a statute, rule or order;

(2) Whether the amount imposed will be a substantial economic deterrent to the violator;

(3) The circumstances leading to the violation;

- (4) The severity of the violation and the risk of harm to the public;
- (5) The economic benefits gained by the violator as a result of noncompliance;
- (6) The interest of the public; and
- (7) The person's efforts to cure the violation.

Respondent Engaged in Fraudulent, Coercive or Dishonest Practices by allowing Johnny Jackson to engage in unlicensed activity upon unsuspecting consumers

13. The facts above are restated and incorporated by reference herein.

14. By using his Tennessee insurance producer license to allow his employer, Johnny Ray Jackson, whose Tennessee insurance producer's license had previously been revoked by the Department, to act as if he were still a licensed insurance producer when he was not, Respondent engaged in fraudulent and dishonest practices within the meaning of TENN. CODE ANN. § 56-6-112(a)(8).

15. Aiding an individual who was previously revoked by the Department to act as if he were still licensed creates an emergent concern to the public health, safety, and welfare of citizens because it directly circumvents disciplinary action previously taken by the Department to protect citizens. Further, such action shows a complete lack of respect for the authority of the Commissioner or the State's insurance laws. Willful violations of laws and rules protecting consumers creates an imperative risk of harm to potential clients who would rely on the Respondent to work on their behalf in the insurance business.

16. The fraudulent and dishonest actions of Respondent are sufficient grounds under TENN. CODE ANN. § 4-5-320(c) for the entry of an Order Summarily Suspending the Respondent's insurance producer license.

Respondent Engaged in Fraudulent, Coercive or Dishonest Practices regarding applications

17. The facts above are restated and incorporated by reference herein.

18. By submitting applications for insurance products on behalf of twenty-five (25) Tennessee citizens without their knowledge or consent, Respondent engaged in fraudulent and dishonest practices within the meaning of TENN. CODE ANN. § 56-6-112(a)(8).

19. The Respondent's fraudulent actions demonstrate a willingness to put his and his co-conspirator's pecuniary gain ahead of the desires or best interests of Tennessee insurance consumers. The Respondent's willful and repeated acts of fraud create an emergent concern to the public health, safety, and welfare of citizens because Respondent has demonstrated a pattern of untruthfulness. These actions further show a lack of appreciation and respect for the insurance laws and regulations of the State of Tennessee and undermines the Tennessee Insurance Division's efforts to protect consumers.

20. The fraudulent and dishonest actions of Respondent are sufficient grounds under TENN. CODE ANN. § 4-5-320(c) for the entry of an Order Summarily Suspending the Respondent's insurance producer license.

Respondent Engaged in Forgery

21. The facts above are restated and incorporated by reference herein.

22. By submitting insurance product applications bearing electronic signatures for twenty-five (25) Tennessee citizens without their knowledge or consent, Respondent engaged in Forgery in violation of TENN. CODE ANN. § 56-6-112(a)(10).

23. The Respondent's fraudulent actions demonstrate a willingness to put his and his co-conspirator's pecuniary gain ahead of the desires or best interests of Tennessee citizens. The Respondent's acts of forgery create an emergent concern to the public health, safety, and welfare of citizens because Respondent has demonstrated a pattern of untruthfulness. These actions further

show a lack of appreciation and respect for the insurance laws and regulations of the State of Tennessee and undermines the Tennessee Insurance Division's efforts to protect consumers.

24. The acts of forgery by Respondent are sufficient grounds under TENN. CODE ANN. § 4-5-320(c) for the entry of an Order Summarily Suspending the Respondent's insurance producer license.

25. Based on the above Findings of Fact, continuation of Respondent's insurance producer license would be hazardous to the public due to evidence showing Respondent's fraudulent actions. Furthermore, evidence shows that Respondent has participated in a years-long criminal scheme to defraud multiple Tennessee residents and circumvent previous disciplinary action by the Division against his employer. Therefore, the public health, safety, and welfare necessitate summary relief in this case.

ORDER

NOW, THEREFORE, in consideration of the foregoing, it is **ORDERED** that:

26. The Respondent **SHALL COMPLY** with the provisions of the Law and all rules promulgated thereunder.

27. Respondent's license with the Division as an insurance producer, license number 700447, is hereby **SUMMARILY SUSPENDED** until final determination of whether Respondent's license should be revoked pursuant to TENN. CODE ANN. §§ 4-5-320(c) and 56-6-112.

28. This Order of Summary Suspension is not intended to prohibit any lawful conduct in which the Respondent might be engaged.

29. Entry of this Order of Summary Suspension shall not in any way restrict the Division or the Commissioner from taking further action against the Respondent with respect to these or other possible violations of the Act, or possible violations of any of the Rules promulgated thereunder.

30. Pursuant to TENN. CODE ANN. § 4-5-320(d)(1)(B), the Respondent is advised that he has the right to an informal hearing before the agency within seven (7) business days of the issuance of this Order of Summary Suspension. The sole issue to be considered is whether the public health, safety, or welfare imperatively required emergency action by the agency. If you wish to exercise your right to this informal hearing, please notify:

**BILL HUDDLESTON
ASSISTANT COMMISSIONER FOR INSURANCE
STATE OF TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE
DAVY CROCKETT TOWER
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243**

31. Such request for an informal hearing must be in writing and received within seven (7) business days from the date of entry of this Order of Summary Suspension.

32. In addition, Respondent is advised that he has the right to a contested case hearing under the contested case provisions of the Uniform Administrative Procedures Act, TENN. CODE ANN. §§ 4-5-301 to 4-5-325 as to all matters raised in this Order of Summary Suspension. If you wish to exercise your right to such a contested case hearing, please notify:

**BILL HUDDLESTON
ASSISTANT COMMISSIONER FOR INSURANCE
STATE OF TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE
DAVY CROCKETT TOWER
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243**

ENTERED this 28th day of November, 2023.


Carter Lawrence (Nov 28, 2023 16:18 CST)

Carter Lawrence, Commissioner

APPROVED FOR ENTRY:



Bill Huddleston (Nov 28, 2023 08:20 CST)

Bill Huddleston
Assistant Commissioner for Insurance
Department of Commerce and Insurance

ISSUANCE REQUESTED BY:



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