

**BEFORE THE COMMISSIONER OF INSURANCE
OF THE STATE OF KANSAS**

In the Matter of)
JONNA GAFFNEY)

Docket No. 2889-CO

CONSENT ORDER

Jonna Gaffney wishes to resolve this matter without formal adjudicative proceedings by entering into this consent order. The Commissioner of Insurance (“Commissioner”) hereby makes the following findings of fact, conclusions of law, and order, to-wit:

Findings of Fact

1. Records maintained by the Kansas Insurance Department (“KID”) indicate that Jonna Gaffney is a resident of the State of Kansas, and has a current mailing address of 419 W. Vine, Anthony, Kansas 67003, and was licensed as a Kansas resident insurance agent from 10/24/90 to 7/12/98. She was also listed as the designated agent under an agency license for Harper County Land Title Company. That license terminated on 1/14/98.

2. The Commissioner has jurisdiction over the subject matter of this proceeding, and this proceeding is held in the public interest.

3. On July 18, 2000, the Kansas Insurance Department was notified by John W. Dozier, Executive Vice President for Columbian National Title Insurance Company, that a former agent, Jonna Gaffney, continued to represent herself as an authorized agent of Columbian Title Insurance Company, when in fact, her authority as an agent was terminated on 1/14/98.

4. Ed Mailen, an investigator for the Kansas Insurance Department discovered two policies issued to Farm Credit Services of Central Kansas, #M-224943 - written on 5/25/00, and #M-224931 – written on 3/31/00, which were issued under the signature of Jonna Gaffney as an

agent of Harper County Land Title Company, with Columbian National Title Insurance Company as the insurer.

5. John Dozier examined the two policies issued by Ms. Gaffney and executed an affidavit stating that neither document/policy was a genuine policy written or authorized for issuance by Columbian National Title Insurance Company, but rather, appeared to be counterfeit policies that listed numbers already assigned to valid previously issued policies.

Conclusions of Law

6. K.S.A. 40-214 provides, in relevant part:

“It shall be unlawful for any person...to transact the business of insurance, indemnity or suretyship, or do any act toward transacting such business, unless such person...shall have been duly authorized under the laws of this state to transact such business and shall have received proper written authority from the commissioner of insurance in conformity with the provisions of the laws of this state relative to insurance, indemnity and suretyship...”

7. K.S.A. 40-244 provides:

“It shall be unlawful for any person, without conforming to the provisions of this code, to represent himself or herself to be the agent of any insurance company, or, as agent, to negotiate, effect or attempt to effect any contracts of insurance, suretyship or indemnity or renewal thereof within this state.

8. K.S.A. 40-241i provides in relevant part:

“(d) Duly licensed insurance agents transacting business in accordance with the provisions of article 41 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, shall be deemed to be certified by a company for the kinds of insurance permitted under the license in effect for the agent.”

9. Based upon the information contained in paragraphs 1 through 5 above, it appears that Jonna Gaffney engaged in transacting the business of insurance without being duly authorized under the laws of Kansas to transact such business and without having proper written

authority from the commissioner of insurance in conformity with the provisions of the laws of Kansas relative to insurance, in violation of K.S.A. 40-214.

10. Based upon the information contained in paragraphs 1 through 5 above, it appears that Jonna Gaffney, without being appointed by Columbian Title Insurance Company, represented herself to be an agent of Columbian Title Insurance Company, in violation of K.S.A. 40-244.

11. Based upon the information contained in paragraphs 1 through 5 above, it appears that Jonna Gaffney, who is not a duly licensed insurance agent, was not deemed to be certified by Columbian Title, in violation of K.S.A. 40-241i(d).

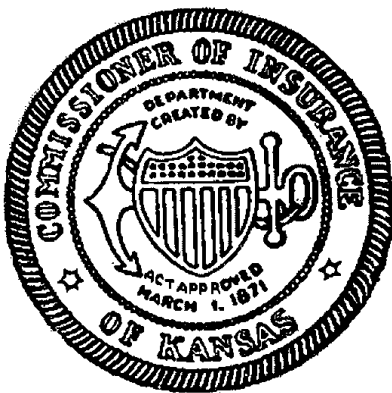
12. For the purposes of this Consent Order, Jonna Gaffney neither admits nor denies the allegations set forth herein this order as described above.

13. For the purposes of this Consent Order, Jonna Gaffney waives her right to a formal adjudicative proceeding and notice thereof and, upon the advice and assistance of counsel, voluntarily consents to the following order of the Commissioner of Insurance.

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

1. Jonna Gaffney shall cease and desist from engaging in the business of insurance without being duly licensed by the Kansas Insurance Department.

IT IS ORDERED THIS 21st DAY OF SEPTEMBER, 2000 IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



/s/ Kathleen Sebelius
Kathleen Sebelius
Commissioner of Insurance

BY:

/s/ Kathy Greenlee
Kathy Greenlee
General Counsel

/s/ Jonna Gaffney
Jonna Gaffney, Respondent

APPROVED BY:

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