

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

In the Matter of the Kansas Resident )  
Insurance Agent's License ) Docket No. 2851-SO  
of TRAVIS N. GILLESPIE )

**SUMMARY ORDER**  
**(Pursuant to K.S.A. 1999 Supp. 40-242  
and K.S.A. 77-537)**

Pursuant to authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 1999 Supp. 40-242, the Commissioner hereby revokes the license of Travis N. Gillespie ("Gillespie"), by way of Summary Order, as provided by K.S.A. 77-537.

The Commissioner has been shown the following facts, and takes the following action:

1. Records maintained by the Kansas Insurance Department ("KID") indicate that Gillespie is a resident of the State of Kansas, and has a current mailing address of 1422 East Wassall #212, Wichita, Kansas 67216, and that he is licensed to transact the business of insurance as a resident insurance agent in the State of Kansas.
2. Accordingly, the Commissioner has jurisdiction over Gillespie and the subject matter of this proceeding, and such proceeding is held in the public interest.
3. On July 28, 1999, KID received an application for an insurance agent's license for Gillespie and a check for \$30.00 for the application fee.

4. Based on the information contained in Gillespie's application, he was granted a resident insurance agent's license to transact the business of insurance on August 19, 1999.

5. Subsequently, the check that Gillespie remitted in payment of the \$30.00 application fee was subsequently returned to KID for insufficient funds.

6. On September 27, 1999, KID made written request to Gillespie for a cashier's check or money order to replace the insufficient funds check. He did not reply.

7. On October 20, 1999, KID mailed a copy of the original letter and requested an immediate reply. On the same date, KID also left a telephone message at his place of business for him to contact this office. Again, Gillespie did not respond.

8. On November 17 and 22, 1999, KID requested a return call from Gillespie or his manager. On November 23, 1999, the manager contacted this office. When apprised of the situation, she indicated she would submit a money order or cashier's check by December 3, 1999. KID did not receive a check.

9. KID sent a letter dated January 6, 2000 to Primerica, Gillespie's sponsoring insurance company to apprise them of the situation. After a phone conversation on January 19, 2000, KID received a company check in the amount of \$30.00 from Primerica. It was payment for Gillespie's check which was returned to KID for insufficient funds.

10. On January 27, 2000, Gillespie's appointment with Primerica was terminated. He has not been certified or appointed to transact the business of insurance by any other insurance company.

## Conclusions of Law

11. K.S.A. 1999 Supp. 40-241 provides in relevant part:

“...If the commissioner of insurance finds that the individual applicant is trustworthy, competent and has satisfactorily completed the examination, the commissioner shall forthwith issue to the applicant a license as an insurance agent but the issuance of such license shall confer no authority to transact business in this state until the agent has been certified by a company pursuant to K.S.A. 40-241i, and amendments thereto....”

12. K.S.A. 1999 Supp. 40-242 provides in relevant part:

(a) The commissioner of insurance may impose a penalty prescribed by subsection (e) or revoke or suspend the license of any broker or agent in the event that investigation by the commissioner discloses that...

(7) the interests of the insurer or the insurable interests of the public are not properly served under such license.

13. Based upon the allegation contained in paragraph 10 above, it appears that Gillespie has not been certified by a company and, therefore, has no authority to transact the business of insurance in the State of Kansas, in violation of K.S.A. 40-241.

14. Based upon the allegations contained in paragraphs 3 through 9 above, it appears that the interests of the insurer and insurable interests of the public are not properly being served under Gillespie's license due to his repeated refusals and/or failures to respond to KID, all in violation of K.S.A. 1999 Supp. 40-242(a)(7).

15. Accordingly, sufficient grounds exist for the revocation of the insurance agent's license of Travis N. Gillespie, pursuant to K.S.A. 1999 Supp. 40-242.

16. Based upon the facts and circumstances set forth hereinabove, it appears that the use of summary proceedings in the manner set forth herein does not violate any provision of the law, and the protection of the public interest does not require KID to give

notice and opportunity to participate to persons other than Travis N. Gillespie, all in accordance with the provisions set forth in K.S.A. 77-537(a).

**IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:**

1. The Kansas resident insurance agent's license of Travis N. Gillespie is hereby revoked.

**Notice and Opportunity for Hearing**

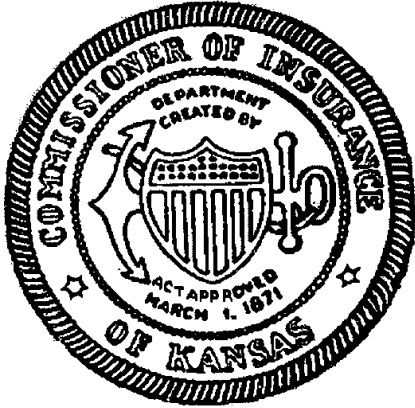
Travis N. Gillespie, within fifteen (15) days of service of this Summary Order, may file with KID written request for a hearing on this Summary Order, as provided for by K.S.A. 77-542. In the event a hearing is requested, such request should be directed to:

Kathy Greenlee  
General Counsel  
Kansas Insurance Department  
420 S.W. 9<sup>th</sup> Street  
Topeka, Kansas 66612-1678

If a hearing is not requested, this Summary Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period for requesting a hearing.

Any costs incurred as a result of conducting any administrative hearing authorized under the provisions of K.S.A. 1999 Supp. 40-242 shall be assessed against the Agent who is the subject of the hearing, as provided for under K.S.A. 1999 Supp. 40-242(c). Costs shall include witness fees, mileage allowances, any costs associated with the reproduction of documents which become a part of the hearing record and the expense of making a record of the hearing.

IT IS SO ORDERED THIS 27<sup>th</sup> DAY OF MARCH 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 J. Greenlee  
General Counsel

**Certificate of Service**

The undersigned hereby certifies that the above and foregoing Summary Order was served this 27th day of March 2000, by depositing the same in the United States Mail, first class postage prepaid, addressed to the following:

Travis N. Gillespie  
1422 East Wassall #212  
Wichita, Kansas 67216

/s/ Kathy Greenlee  
Kathy J. Greenlee