

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

In the Matter of the Kansas Resident)
Insurance Agent’s License) Docket No. 2895-SO
of PHILLIP J. LARSON)

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 Phillip J. Larson (“Larson”), 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 Larson is a resident of the State of Kansas, and has a current mailing address of 7260 Mastin, Merriam, Kansas 66203, 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 Larson and the subject matter of this proceeding, and such proceeding is held in the public interest.

3. On June 9, 2000, KID received an application for an insurance agent’s license for Larson and a check for \$30.00 for the application fee.

4. Based on the information contained in Larson’s application, he was granted a resident insurance agent’s license to transact the business of insurance on June 9, 2000.

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

6. On June 23, 2000, KID made written request to Larson for a cashier's check or money order to replace the insufficient funds check. He did not reply.

7. On July 24, 2000, KID again made written request to Larson for a cashier's check or money order to replace the insufficient funds check. He did not reply.

8. On August 15, 2000, KID left a voice mail message at Larson's residence for him to contact KID. He did not respond.

9. On June 29, 2000, Larson's only appointment with Bankers Life and Casualty Company was terminated. He has not been certified or appointed to transact the business of insurance by any other insurance company.

Conclusions of Law

10. 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....”

11. 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....”

12. Based upon the allegation contained in paragraph 9 above, it appears that Larson 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. 1999 Supp. 40-241.

13. Based upon the allegations contained in paragraphs 3 through 8 above, it appears that the interests of the insurer and insurable interests of the public are not properly being served under Larson's license due to his repeated refusals and/or failures to respond the KID inquiries, all in violation of K.S.A. 1999 Supp. 40-242(a)(7).

14. Accordingly, sufficient grounds exist for the revocation of the Kansas resident insurance agent's license of Phillip J. Larson, pursuant to K.S.A. 1999 Supp. 40-242.

15. 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 Phillip J. Larson, 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 Phillip J. Larson is hereby revoked.

Notice and Opportunity for Hearing

Phillip J. Larson, 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. 9th Street
Topeka, Kansas 66612-1678

Certificate of Service

The undersigned hereby certifies that the above and foregoing Summary Order was served this __13th__ day of September 2000, by depositing the same in the United States Mail, first class postage prepaid, addressed to the following:

Phillip J. Larson
7260 Mastin
Merriam, Kansas 66203

_ /s/ Kathy J. Greenlee _____
Kathy J. Greenlee