

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

In the Matter of the Kansas)
Resident Agent's License) Docket No. 2983-SO
of JEFF D. LOPEZ)

SUMMARY ORDER
**(Pursuant to K.S.A. 40-242(a)(6) and (7);
and K.S.A. 77-537)**

Pursuant to the authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 40-242(a), the Commissioner hereby revokes the Kansas resident insurance agent's license of Jeff D. Lopez ("Lopez"), by way of Summary Order, as provided for 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 Lopez is a resident of the State of Kansas, has a current mailing address of 3835 N. Athenian, Wichita, Kansas 67204 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 Lopez and the subject matter of this proceeding, and such proceeding is held in the public interest.
3. On April 20, 2001, Lopez was convicted in Butler County District Court of two counts of unlawful offer or sale of securities, a severity level 6, nonperson felony, in violation of K.S.A. 2000 Supp. 17-1253.

4. Lopez has failed or refused to notify the KID of the convictions described in paragraph 3 above.

Conclusions of Law

5. K.S.A. 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:...

(6) the holder of such license has been convicted of a misdemeanor or felony involving fraud, deceit, dishonesty, intent to deprive or intent to defraud; or

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

6. K.A.R. 40-7-9 provides, in relevant part:

“Each person licensed in this state as an insurance agent shall, within 30 days of occurrence, report to the commissioner of insurance:...

(d) all details of any conviction of a misdemeanor or felony. Details should include the name of the arresting agency, location and date of the arrest, nature of the charges, the court in which the case was tried, and the disposition rendered by the court. Minor traffic offenses may be omitted.”

7. Based on the information contained in paragraph 3 above, it appears that Lopez has been convicted of offenses involving fraud, deceit, dishonesty, intent to deprive or intent to defraud, all in violation of K.S.A. 40-242(a)(6).

8. Based on the information contained in paragraphs 3 and 4 above, it appears that Lopez has failed or refused to notify the KID of his felony convictions, all in violation of K.A.R. 40-7-9(d).

9. Based upon the information contained in paragraphs 3 and 4 above, it appears that the interests of the insurer and insurable interests of the public are not properly being served under Lopez's license, all in violation of K.S.A. 40-242(a)(7).

10. Accordingly, sufficient grounds exist for the revocation of the Kansas resident insurance agent's license of Jeff D. Lopez, pursuant to K.S.A. 40-242(a).

11. Based on the facts and circumstances set forth hereinabove, it appears that the use of summary proceedings in the matter set forth herein does not violate any provision of the law, and the protection of the public interest does not require the KID to give notice and an opportunity to participate to persons other than Jeff D. Lopez, 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 Jeff D. Lopez is hereby revoked.

Notice and Opportunity for Hearing

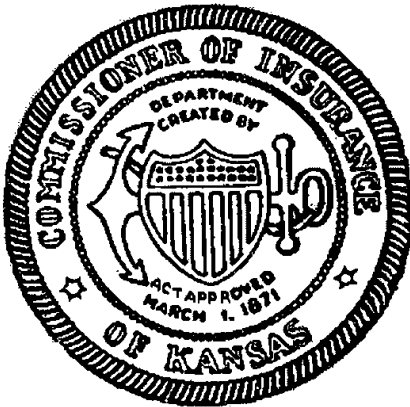
Jeff D. Lopez may, within fifteen (15) days of service of this Summary Order, file with the KID a written request for a hearing on this Summary Order, as provided for by K.S.A. 77-542. If you desire a hearing, a written request must be made within the time prescribed to:

Kathy J. Greenlee
General Counsel
Kansas Insurance Department
420 S.W. 9th 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) days period for requesting a hearing.

Any costs incurred as a result of conducting an administrative hearing authorized under the provisions of K.S.A. 40-242 shall be assessed against the agent who is the subject of the hearing, as provided for under K.S.A. 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 31st DAY OF OCTOBER, 2001, 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

Certificate of Service

The undersigned hereby certifies that the above and foregoing Summary Order was served this __31st__ day of October, 2001, by depositing the same in the United States Mail, first class postage prepaid, addressed to the following:

Jeff D. Lopez
3834 N. Athenian
Wichita, Kansas 67204

_ /s/ Kathy Greenlee _____
Kathy Greenlee