

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

FINAL ORDER Effective: 11/5/02
--

In the Matter of the Kansas)	
Resident Insurance Agent's)	Docket No. 3101-SO
License of BRADLEY K. SISK)	

SUMMARY ORDER
**(Pursuant to L. 2002, Ch. 158, Sec. 21
and K.S.A. 77-537)**

Pursuant to authority granted to the Commissioner of Insurance ("Commissioner") by L. 2002, Ch. 158, Sec. 21, the Commissioner hereby revokes the license of Bradley K. Sisk ("Sisk"), 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 Sisk is a resident of the State of Kansas, and has a current mailing address of 3447 S.W. Urish Road, Topeka, Kansas 66614, 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 Sisk and the subject matter of this proceeding, and such proceeding is held in the public interest.
3. On August 19, 2002, the KID received an application for license from Sisk. He answered "No" to the question, "Have you or any business in which you are or were an owner, partner, officer or director ever been involved in an administrative proceeding regarding any professional or occupational license?" In addition, the question

stated, [“Involved” means having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, placed on probation or surrendering a license to resolve an administrative action....].

4. Further, the application signed by Sisk stated, “I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.”

5. Based on the information contained in Sisk’s application, he was issued a resident license to transact the business of insurance on August 29, 2002.

6. Information discovered by the KID, subsequent to Sisk receiving his license revealed that on July 13, 1990 the Kansas resident insurance agent’s license of Sisk was revoked by the Kansas Insurance Department for various violations of the insurance code.

7. Since the issuance of Sisk’s license on August 29, 2002, he has not been certified or appointed to transact the business of insurance by any insurance companies.

Conclusions of Law

8. K.S.A. 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 by 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...”

9. L. 2002, Ch. 158, Sec. 21 provides, in relevant part:

“(a) The commissioner may...revoke...any license issued under this act if the commissioner finds that the...license holder has:

(1) Provided incorrect, misleading, incomplete or untrue information in the license application....

(3) Obtained or attempted to obtain a license under this act through misrepresentation or fraud....

(b) In addition, the commissioner may...revoke...any license issued under this act if the commissioner finds that the interests of the insurer or the insurable interests of the public are not properly served under such license.”

10. Based upon the allegation contained in paragraph 7 above, it appears that Sisk 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.

11. Based upon the allegations contained in paragraphs 3 through 6 above, it appears that Sisk provided incorrect, misleading, incomplete or untrue information in his license application, in violation of L. 2002, Ch. 158, Sec. 21(a)(1).

12. Based upon the allegations contained in paragraphs 3 through 6 above, it appears that Sisk obtained his license through misrepresentation or fraud, in violation of L. 2002, Ch. 158, Sec. 21(a)(3).

13. Based upon the allegations contained in paragraphs 3 through 6 above, it appears that the interests of the insurer and insurable interests of the public are not properly being served under Sisk’s license due to him providing incorrect, misleading, incomplete or untrue information in the application and he obtained the license through misrepresentation or fraud, in violation of L. 2002, Ch. 158, Sec. 21(b).

14. Accordingly, sufficient grounds exist for the revocation of the insurance agent’s license of Bradley K. Sisk, pursuant to L. 2002, Ch. 158, Sec. 21.

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 the KID to give notice and opportunity to participate to persons other than Bradley K. Sisk, 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 Bradley K. Sisk is hereby revoked.

Notice and Opportunity for Hearing

Bradley K. Sisk, within fifteen (15) days of service of this Summary Order, may file with the 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:

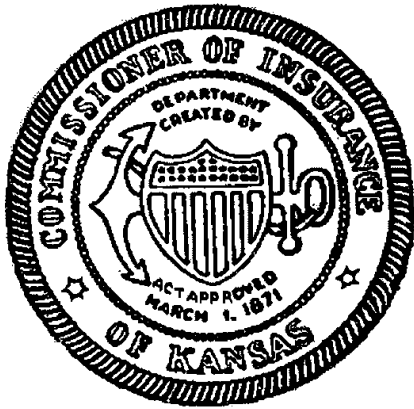
Kathy Greenlee
General Counsel
Kansas Insurance Department
420 S.W. 9th Street
Topeka, Kansas 66612

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 L. 2002, Ch. 158, Sec. 21 shall be assessed against the agent who is the subject of the hearing, as provided for under L. 2002, Ch. 158, Sec. 21(f). 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 __18th__ DAY OF OCTOBER, 2002, 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 __18th__ day of October, 2002, by depositing the same in the United States Mail, first class postage prepaid, addressed to the following:

Bradley K. Sisk
3447 S.W. Urish Road
Topeka, Kansas 66614

_/_s/ Kathy J. Greenlee_____
Kathy J. Greenlee