

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

<b>FINAL ORDER</b>
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Effective: 03/22/04
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In the Matter of the Kansas Resident                    )  
Insurance Agent’s License of                                )  
BILLIE J. PIPER    )     Docket No.     3210-SO

**SUMMARY ORDER**

**(Pursuant to K.S.A. 2002 Supp. 40-4909 and K.S.A. 77-537)**

Pursuant to authority granted to the Commissioner of Insurance (“Commissioner”) by K.S.A. 2003 Supp. 40-4909, the Commissioner hereby revokes the resident agent’s license of Billie J. Piper (“Piper”) by way of Summary Order as provided by K.S.A. 77-537.

**Findings of Fact**

The Commissioner has been shown the following facts:

1. Records maintained by the Kansas Insurance Department (“KID”) indicate that Piper is licensed as a resident agent to transact the business of insurance in the State of Kansas and has been so licensed since November 5, 1999. KID records indicate a current legal and mailing address of 809 Goodrich, Manhattan, KS 66502.
2. In May 2003, Jay Copeland, president of Copeland Insurance Agency, Inc., notified KID that Piper’s employment was terminated following her arrest on embezzlement charges.
3. By letter of May 16, 2003, KID requested that Piper respond and provide details.
4. KID received neither Piper’s response nor returned mail.

5. According to Assistant County Attorney Barry Wilkerson, Piper was charged with theft in Pottawattomie County Case Number 08 CR 155, was bound over for trial on a severity level 7 felony count, and had admitted to embezzling over \$80,000 from Brooks Yamaha.

6. Piper was convicted on November 6, 2003, and sentenced on December 4, 2003.

### **Applicable Law**

7. K.S.A. 2003 Supp. 40-4909(a) provides, in relevant part:

“The commissioner may deny, suspend, revoke or refuse renewal of any license issued under this act if the commissioner finds that the applicant or license holder has: . . . (6) Been convicted of a misdemeanor or felony . . . (8) Used any fraudulent, coercive, or dishonest practice, or demonstrated any incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere. . . . (14) Failed to pay any state income tax or court order directing payment of state income tax.”

8. The Commissioner may revoke any license issued under the Insurance Agents Licensing Act if the Commissioner finds that the insurable interests of the public are not properly served under such license. K.S.A. 2003 Supp. 40-4909(b).

### **Conclusions of Law**

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

10. Based upon the information contained in paragraphs 5 and 6 above, the Commissioner finds that Piper has been convicted of a felony and that the conviction establishes fraudulent, coercive, or dishonest practices and demonstrates incompetence, untrustworthiness or financial irresponsibility in the conduct of business.

11. Accordingly, the Commissioner finds that sufficient grounds exist for the revocation pursuant to K.S.A. 2003 Supp. 40-4909(a) of the resident insurance agent’s license of Billie J. Piper.

12. In addition, based on the nature of the criminal charge, the Commissioner finds that the insurable interests of the public are not properly served under the resident insurance agent's license of Billie J. Piper, and the license should be revoked pursuant to K.S.A. 2003 Supp. 40-4909(b).

13. Based on the facts and circumstances set forth herein, it appears that the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings 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 Billie J. Piper.

**IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT** the Kansas resident insurance agent's license of Billie J. Piper is hereby **REVOKED**.

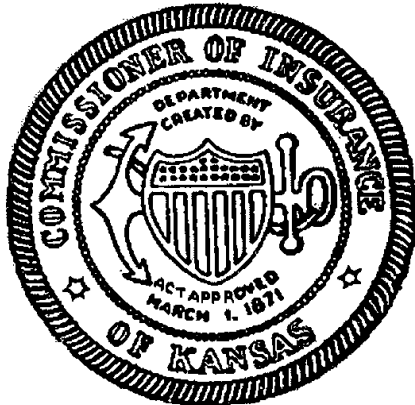
**Notice and Opportunity for Hearing**

Billie J. Piper, 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 by K.S.A. 77-542. In the event a hearing is requested, such request should be directed to: John W. Campbell, General Counsel, Kansas Insurance Department, 420 S.W. 9<sup>th</sup> Street, Topeka, KS 66612.

Any costs incurred as a result of conducting any administrative hearing shall be assessed against the agent who is the subject of the hearing as provided by K.S.A. 2002 Supp. 40-4909(f). Costs shall include witness fees, mileage allowances, any costs associated with the reproduction of documents which become part of the hearing record, and the expense of making a record of the hearing.

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-day period for requesting a hearing.

**IT IS SO ORDERED THIS \_3rd\_ DAY OF MARCH 2004, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**



\_\_\_\_\_  
/s/ Sandy Praeger  
Sandy Praeger  
Commissioner of Insurance

BY

\_\_\_\_\_  
/s/ John W. Campbell  
John W. Campbell  
General Counsel

**NOTICE:** The person designated pursuant to K.S.A. 77-613(e) to receive service of a petition for judicial review on behalf of the KID is John W. Campbell, General Counsel, Kansas Insurance Department, 420 S.W. 9<sup>th</sup> St., Topeka, KS 66612.

**Certificate of Service**

The undersigned hereby certifies that she served a true and correct copy of the above and foregoing **Summary Order** on this \_3rd\_ day of March 2004, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Billie J. Piper  
809 Goodrich  
Manhattan, KS 66502

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/s/ Brenda J. Clary  
Brenda J. Clary