



K a n s a s  
I n s u r a n c e  
D e p a r t m e n t

**FILED**  
11-09-2004  
Commissioner of Insurance  
State of Kansas

**Sandy Praeger** COMMISSIONER OF INSURANCE

October 27, 2004

Ralph E. Wentworth  
Wentworth-DeAngelis, Inc.  
74 Batterson Park Road  
Farmington, CT 06034

Re: Policy # ERC5977179-00, ICA Mortgage Capital, LLC  
NOTICE OF VIOLATION, PENALTY, & RIGHT TO HEARING

Dear Agent:

Kansas Insurance Department (KID) records indicate that you filed an application for a Kansas nonresident insurance agent's license and an excess lines license on September 5, 2003, and were issued the licenses effective September 8 (agent) and September 9 (excess lines). It appears that you placed the above-referenced coverage on a Kansas risk effective August 18, 2003, prior to obtaining the required licenses, in violation of K.S.A. 40-246b.

"The commissioner may, in the manner prescribed by law, revoke or suspend the license of any agent issued pursuant to sections 40-241 and 40-246 [superceded by 40-4901 *et seq.*] of the Kansas Statutes Annotated when such agent shall engage in any transaction permitted only to licensees under the provisions of K.S.A. 40-246b, without first obtaining the license as required by K.S.A. 40-246b." K.S.A. 40-246d. K.S.A. 40-246b defines requirements for obtaining a license to place risks with nonadmitted insurers and reporting obligations for excess lines agents.

Alternatively, pursuant to K.S.A. 2003 Supp. 40-4909(h), the Commissioner may impose an administrative penalty of \$500, or \$1000 for a knowing violation, upon a finding that an agent has violated any provision of Chapter 40 of the Kansas Statutes Annotated.

By this letter, you are directed to remit to the Kansas Insurance Department \$500 as a penalty for violation of K.S.A. 40-246b. If you have not either complied or requested a hearing by the close of business on the 15<sup>th</sup> day after the date of this letter (or the first business day following the 15<sup>th</sup> day if the 15<sup>th</sup> day is not a business day), an order will be entered suspending your excess lines and Kansas insurance agent's licenses until such time as you pay the full amount of the penalty. Unless you request a hearing, this

letter will become a final agency action at close of business on the 15<sup>th</sup> day after the date of this letter.

You have a right to a hearing before imposition of a penalty. You may direct a written request for hearing to John W. Campbell, General Counsel, Kansas Insurance Department, 420 SW 9<sup>th</sup> Street, Topeka, KS 66612. Mr. Campbell is also the agency officer designated pursuant to K.S.A. 77-613(e) to receive service on behalf of KID of a petition for judicial review.

Sincerely,

/s/ Brenda J. Clary

Brenda J. Clary  
Staff Attorney

Cc: Pete Tavares  
LeRoy Brungardt