

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

<b>FINAL ORDER</b> <b>Effective: 10/31/05</b>
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In the Matter of the Kansas Resident                    )  
Insurance Agent’s License of                                )  
RONALD E. WINFIELD, Sr.                                    )       Docket No.   3487-SO

**SUMMARY ORDER**  
**(Pursuant to K.S.A. (2004 Supp.) 40-4909 and K.S.A. 77-537)**

Pursuant to authority granted to the Commissioner of Insurance (“Commissioner”) by K.S.A. (2004 Supp.) 40-4909, the Commissioner hereby suspends indefinitely the resident agent’s license of Ronald E. Winfield, Sr. (“Winfield”), 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 Winfield is licensed as a resident agent to transact the business of insurance in the State of Kansas and has been so licensed since June 21, 2004. KID records indicate a current legal and mailing address of 1705 Rockwell Dr., Junction City, Kansas 66441-1854.
2.       KID received a written complaint against Winfield on July 10, 2005.
3.       KID mailed the letter of inquiry to Winfield, certified mail, return receipt requested, to 1705 Rockwell Dr., Junction City, Kansas 66441-1854 on August 25, 2005, directing him to “review the enclosed complaint carefully and respond in writing. Each allegation made by this complainant must be addressed specifically in your statement.”

4. On September 7, 2005, KID's letter of inquiry, dated August 25, 2005, was returned for reason of undeliverable – forwarding time expired.
5. KID mailed the letter of inquiry, for the second time, to Winfield, certified mail, return receipt requested, to P.O. Box 3014, Junction City, KS 66441.
6. To date, Winfield has not responded as directed.
7. KID's record contains no information of any kind indicating that Ronald E. Winfield, Sr. has notified the Department regarding any change of his legal and mailing address.

### **Applicable Law**

8. K.S.A. 2003 Supp. 40-4909(a) provides, in relevant part:
  - (a) 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: (2) Violated: (A) any provision of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or any rule and regulation promulgated thereunder; (B) any . . . order of the commissioner. . . .
9. The Commissioner may suspend 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. (2004 Supp.) 40-4909(b).
10. K.A.R. 40-7-9 states, in pertinent part:
  - (f) each change in residence address. . .

### **Conclusions of Law**

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

12. Based upon the above-mentioned facts in paragraphs 1 through 7, the Commissioner finds that Winfield has either committed a violation of K.S.A. 40-4909(a)(2)(A) and K.A.R. 40-7-9 by failing to report to the Commissioner regarding a change in his legal and residence address, or violation of K.S.A. 40-4909(a)(2)(B) by deliberately ignoring the directive from the KID for his written response in relation to a complaint against him.

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 Ronald E. Winfield, Sr.

**IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT the Kansas resident insurance agent's license of Ronald E. Winfield, Sr., is hereby SUSPENDED INDEFINITELY.**

**Notice and Opportunity for Hearing**

Ronald E. Winfield, Sr., 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. (2003 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.

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.

**IT IS SO ORDERED THIS 11th DAY OF OCTOBER 2005, 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 he served the above and foregoing Summary Order on this 11th day of October 2005, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Ronald E. Winfield, Sr.  
1705 Rockwell Dr.  
Junction City, KS 66441-1854

\_ /s/ Hsingkan Chiang \_\_\_\_\_  
Hsingkan Chiang, Staff Attorney