

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

<b>FINAL ORDER</b> <b>Effective: 03-26-07</b>
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**In the Matter of the Kansas Nonresident )  
Insurance Agency's License of ) Docket No. 3634-SO  
LAND OPTIONS, INC. )**

**SUMMARY ORDER**  
(Pursuant to K.S.A. 2006 Supp. 40-4909 and K.S.A. 77-537)

Pursuant to authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 2006 Supp. 40-4909, the Commissioner hereby revokes the nonresident agency's license of Respondent LAND OPTIONS, INC. 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 Respondent is licensed as a nonresident agency to transact the business of insurance in the State of Kansas, and has been so licensed since June 16, 2003. KID records further indicate a legal and mailing address of 4955 Steubenville Pike, Ste 401, Pittsburg, PA 15205
2. Land Options, Inc. handles escrow, settlement or closing accounts.
3. On November 30, 2006, Western Surety, who provided for the respondent, the bond required by K.S.A. 40-1139, cancelled said bond.
4. Respondent Land Options, Inc. was contacted by phone on November 30, 2006 by KID and was told that a replacement bond would be forthcoming. No such replacement bond has been forthcoming.

**Applicable Law**

5. K.S.A. 2006 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 . . .(2) Violated (A) Any provision of chapter 40 of the Kansas Statutes Annotated and amendments thereto, or any rule and regulation promulgated thereunder

K.S.A. 40-1139 requires a surety bond of a title insurance agent who handles escrow, settlement or closing accounts..

6. 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. 2006 Supp. 40-4909(b).

### **Conclusions of Law**

7. The Commissioner has jurisdiction over Respondent as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

8. The Commissioner concludes that the failure of Land Options, Inc. to have in place the bond required by K.S.A. 40-1139 constitutes a violation of 2006 Supplement 40-4909(a).

9. Accordingly, the Commissioner concludes that sufficient grounds exist for the revocation of the insurance agency’s non resident license of Land Options, Inc. pursuant to K.S.A. 2006 Supp. 40-4909(a).

10. In addition, the Commissioner finds that the non-resident insurance agency license of Land Options, Inc. should be revoked without delay for the protection of the insurable interests of the public pursuant to K.S.A. 2006 Supp. 40-4909(b).

11. 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 KID to give notice and opportunity to participate to persons other than Land Options, Inc..

**IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT** the Kansas nonresident insurance agency's license of Land Options, Inc. is hereby **REVOKED.**

**IT IS FURTHER ORDERED** that the respondent Land Options, Inc. shall CEASE and DESIST from the sale, solicitation or negotiation of insurance and/or receiving compensation deriving from the sale, solicitation or negotiation of insurance conducted after the effective date of this order.

**Notice of Right to Hearing or Appeal**

You are entitled to a hearing pursuant to K.S.A. § 77-537, the Kansas Administrative Procedure Act. If you desire a hearing, you must file a written request for a hearing with:

John W. Campbell, General Counsel  
Kansas Insurance Department  
420 S.W. 9th Street  
Topeka, Kansas 66612.

This request must be filed within fifteen (15) days from the date of service of this Order. If you request a hearing, the Kansas Insurance Department will notify you of the time and place of the hearing and information on the procedures, right of representation, and other rights of parties relating to the conduct of the hearing, before commencement of same.

If a hearing is not requested in the time and manner stated above, this Order shall become effective as a Final Order upon the expiration of time for requesting a hearing, pursuant to K.S.A. § 77-613. In the event that you file a petition for judicial review, pursuant to K.S.A. §

77-613(e), the agency officer to be served on behalf of the Kansas Insurance Department is:

John W. Campbell, General Counsel  
Kansas Insurance Department  
420 S.W. 9th Street  
Topeka, Kansas 66612.

**IT IS SO ORDERED THIS   7th   DAY OF MARCH, 2007, 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

**Certificate of Service**

The undersigned hereby certifies that a true and correct copy of the above and foregoing Summary Order was served by placing the same in the United States Mail, first class postage prepared, on this \_\_7th\_\_ day of March , 2007, addressed to the following:

Land Options, Inc.  
4955 Steubenville Pike, Suite 401.  
Pittsburg, PA 15205

\_/\_s/ Ralph DeZago\_\_\_\_\_

Ralph DeZago  
Staff Attorney