

6. In the course of his investigation, and as noted in his investigative report, Investigator Adair learned that [REDACTED] had her money in CDs but Poe's forgeries were calculated to purchase annuities. The purchase of annuities was done without [REDACTED] knowledge and resulted in her money being encumbered so that she could not withdraw funds she needed.

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 finds from the foregoing findings of fact that the respondent used fraudulent, coercive or dishonest practice or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state

9. The Commissioner finds from the foregoing findings of fact that respondent Randall Poe forged another person's name to an application for insurance or to any document related to an insurance transaction. Additionally, the commissioner finds from the foregoing facts that the insurable interest of the public are not properly served under respondent's license.

Applicable Law

10. K.S.A. 2005 Supp. 40-4909a provides in relevant part: ". . . the commissioner may: . . . revoke . . . any license issued under this act if the commissioner finds that the . . . license holder has: (8). Used any fraudulent, coercive or dishonest practice . . . or demonstrated untrustworthiness in the conduct of business in this state.; (10) Forged another person's name to an application for insurance or to any document related to an insurance transaction."

11. K.S.A. 2005 Supp. 40-4909(b) permits the revocation of any license issued under this act if the commissioner finds that the insurable interests of the public are not properly served under such license.

12. 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 law and the protection of the public interest does not require the KID to give notice and opportunity to participate to persons other than the respondent, Randall Poe.

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT the non-resident insurance agent’s license of Randall Poe is hereby REVOKED, effective the effective date of this order.

IT IS FURTHER ORDERED that respondent Randall Poe 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.



___/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 and Notice of Summary Order** on this 17th day of February, 2007, by placing the same in the United States Mail, first class postage prepaid, addressed to the following:

Randall Poe
5827 State Hwy P
Albany, MO 64402

Randall Poe
4700 W 50th Pl.
Roeland Park, KS 66205

/s/ Ralph DeZago _____
Ralph DeZago
Staff Attorney