

**FINAL ORDER**

**Effective: 03-05-08**

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

**In the Matter of the Kansas Resident -     )**  
**Insurance Agent’s License of                 )**     **Docket No. 3626-SO**  
**TROY D. BALL   )**

**SUMMARY ORDER**

**(Pursuant to K.S.A. 2005 Supp. 40-4909, and K.S.A. 77-537)**

Pursuant to authority granted to the Commissioner of Insurance (“Commissioner”) by K.S.A. 2005 Supp. 40-4909(a) , the Commissioner hereby revokes the resident insurance agent’s license of TROY D. BALL, by way of Summary Order as provided by K.S.A. 77-537

**Findings of Fact**

The Commissioner has been shown the following:

1. Records maintained by the Kansas Insurance Department (“KID”) indicate that Respondent, TROY D. BALL is licensed as a resident agent to transact the business of insurance in Kansas.
2. KID records further indicate a legal and mailing address for respondent as 1132 Ohio Street, Augusta, Kansas 67010.
3. KID records further indicate that respondent was issued a non-resident license on August 22, 2000 and that he moved to Kansas and became a resident agent on December 9, 2002.
4. In Butler County Kansas District Court case number 03-CR-140, respondent was sentenced on March 4, 2004 for an offense dated March 29, 2003 of criminal discharge of a firearm at an occupied dwelling/vehicle, a non-drug grid severity level 7 felony. Respondent was sentenced to prison and was discharged on September 11, 2005.

5. Respondent never reported 03-CR-140 or the incidents surrounding it to KID. More than 30 days have passed since the above-cited conviction.

**Conclusions of Law**

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

7. Respondent failed to report a felony conviction within the time required by K.A.R. 40-7-9.

**Applicable Law**

8. K.S.A. 2006 Supp. 40-4909a provides in relevant part: “. . . the commissioner may: . . . revoke . . . 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 or regulation promulgated thereunder; . .

9. K.A.R. 40-7-9 is a regulation promulgated under Chapter 40 of the Kansas Statutes Annotated. Said regulation requires an insurance agent to report all misdemeanor and felony convictions within 30 days.

10. 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, TROY D. BALL.

**IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT** the resident insurance agent’s license of TROY D. BALL is hereby REVOKED, effective the effective date of this order.

**IT IS FURTHER ORDERED** that respondent TROY D. BALL 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:

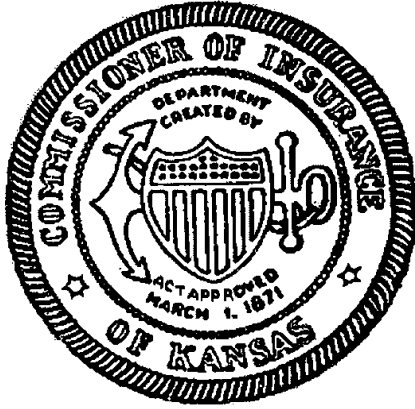
John W. Campbell, General Counsel  
Kansas Insurance Department  
420 S.W. 9th Street  
Topeka, Kansas 66612.

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   28th   DAY OF FEBRUARY, 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   28th   day of   Feb.  , 2007, addressed to the following:

Troy D. Ball  
1132 Ohio Street,  
Augusta, Kansas 67010

  /s/ Ralph DeZago  

Ralph DeZago  
Staff Attorney