

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

In the Matter of the Kansas )  
Nonresident Insurance Agent’s License of ) Docket No. 3824-SO  
MATTHEW H. LEVIN )  
NPN# 2059671 )

**SUMMARY ORDER**

(Pursuant to K.S.A. 2007 Supp. 40-4909 and K.S.A. 77-501)

Pursuant to the authority granted to the Commissioner of Insurance (“Commissioner”) by K.S.A. 2007 Supp. 40-4909, the Commissioner hereby revokes the nonresident agent’s license of Respondent, Matthew H. Levin (“Mr. Levin”). This Summary Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no request for hearing is made, pursuant to K.S.A. 77-542.

**Findings of Fact**

The Commissioner finds the following facts:

1. Records maintained by the Kansas Insurance Department (“KID”) indicate Jeffrey B. Lackey is licensed as a nonresident agent to transact the business of insurance in Kansas, and has been so licensed since February 19, 2001.
2. KID records indicate a legal and mailing address of 132 Adrienne Lane, Wynnewood, PA 19096-1227.
3. Information Retrieval System (“RIRS”) database reflects the following actions: Respondent’s surrendered his insurance agent’s license in his home state of Pennsylvania for surplus lines violation/fiduciary violation, effective October 5, 2007.

4. To date, Respondent has failed to notify KID of the disciplinary actions taken by the State of Tennessee Department of Insurance on October 5, 2007. Or that he surrendered his home state license.

#### **Applicable Law**

5. K.S.A. 2007 Supp. 40-4909 states, in pertinent 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:
    - (9) Had an insurance agent license, or its equivalent, denied, suspended or revoked in any other state, district or territory.
  - (b) In addition, the commissioner may suspend, revoke or refuse renewal of any license issued under this act if the commissioner finds that the interests of the insurer or the insurable interests of the public are not properly served under such license.
6. K.A.R. 40-7-9 states, in pertinent part: Each person licensed in this state as an insurance agent shall report the following to the commissioner of insurance within 30 days of occurrence:
  - (a) Each disciplinary action on the agent's license or licenses by the insurance regulatory agency of any other state or territory of the United States.
7. K.S.A. 2007 Supp. 40-4906 and K.S.A. 2007 Supp. 40-4908 provide for the issuance of a nonresident agent's license in reliance upon the agent's valid license in the agent's home state.

#### **Conclusions of Law**

8. The Commissioner has jurisdiction over Mr. Levin as well as the subject matter of this proceeding, and such proceeding is held in the public interest.
9. The Commissioner finds that Mr. Levin's Kansas license may be revoked because Mr. Levin has had a license revoked in another state pursuant to K.S.A. 2007 Supp. 40-4909(a)(9).

10. The Commissioner finds that Mr. Levin's Kansas license may be revoked because Mr. Levin no longer has a license in his home state pursuant to K.S.A. 2007 Supp. 40-4906 and K.S.A. 2007 Supp. 40-4908.
11. The Commissioner finds that Mr. Levin violated K.A.R. 40-7-9 by failing to notify the Kansas Insurance Department of his disciplinary action taken by the State of Pennsylvania Department of Insurance on October 5, 2007.
12. The Commissioner finds, pursuant to K.S.A. 2007 Supp. 40-4909(b), that the insurable interests of the public are not properly served under Mr. Levin's license.
13. Accordingly, the Commissioner concludes sufficient grounds exist for the revocation of the insurance agent's license of Matthew H. Levin pursuant to K.S.A. 2007 Supp. 40-4909(a) and (b).

**IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:**

1. The Kansas Nonresident Insurance Agent's License of MATTHEW H. LEVIN is hereby **REVOKED** effective the effective date of this Order.
2. **IT IS FURTHER ORDERED** that MATTHEW H. LEVIN 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 AND OPPORTUNITY FOR HEARING**

Matthew H. Levin, within fifteen (15) days of service of this Summary Order, may file with the Kansas Insurance Department a written request for 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, Kansas 66612

Any costs incurred as a result of conducting any administrative hearing shall be assessed against the agent/agency who is the subject of the hearing as provided by K.S.A. 40-4909(f). Costs shall include witness fees, mileage allowances, any costs associated with 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 (15) day period for requesting a hearing. The Final Order will constitute final agency action in the matter.

In the event the Petitioner files a petition for judicial review, the agency officer designated pursuant to K.S.A. 77-613(e) to receive service of a petition for judicial review on behalf of the Kansas Insurance Department is:

John W. Campbell, General Counsel  
Kansas Insurance Department  
420 S.W. 9<sup>th</sup> St.  
Topeka, Kansas 66612

**IT IS SO ORDERED THIS 19th DAY OF MARCH, 2008, 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 she served the above and foregoing Summary Order on this 19th day of March, 2008, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

In the Matter of the Kansas  
Nonresident Insurance Agent's License of  
MATTHEW H. LEVIN

Matthew H. Levin  
132 Adrienne Lane  
Wynnwood, PA 19096-1227

/s/ Stacy R. Bond  
Stacy R. Bond  
Staff Attorney