

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

In the Matter of the Kansas)
Nonresident Insurance Agent's License of) Docket No. 3782-SO
MARK W. MCLAUGHLIN)

SUMMARY ORDER

(Pursuant to K.S.A. 2006 Supp. 40-4909 and K.S.A. 77-501 *et. seq.*)

Pursuant to the authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 40-4909, the Commissioner hereby revokes the nonresident agent's license of Respondent, Mark W. McLaughlin ("Mr. McLaughlin"). 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 Terrel Y. Bruce is licensed as a nonresident agent to transact the business of insurance in Kansas, and has been so licensed since May 24, 2006.
2. KID records indicate a mailing address of Apt. 106, 1212 E. Ogden Ave., Milwaukee, WI 53202-2930.
3. On or about June 18, 2007, Respondent advised the KID Agents Division of a new home address as required by K.A.R. 40-7-9. Mr. McLaughlin advised that he had moved from the state of Michigan to the state of Wisconsin.
4. On June 18, 2007, Karen Evans, Senior Administrative Assistant, Producers Division sent a letter to Mr. McLaughlin advising him that he needed to provide "a letter of certification from your current state of residence, or a copy of your

new Wisconsin resident license.” This same letter was again sent to the Respondent’s newly reported address in Wisconsin on July 18, 2007; August 17, 2007; September 18, 2007 and November 19, 2007.

5. To this date, Respondent has not submitted either a certificate from his current state or a copy of his Wisconsin license.
6. On January 8, 2008, a letter was sent to Respondent from KID asking that he respond to allegations that he had violated K.S.A. 40-4906(c)(1). Respondent was advised that he needed to respond within 15 business days.
7. To date, Respondent has failed to respond to the letter dated January 8, 2008.

Applicable Law

8. K.S.A. 2006 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:
 - (2) Violated
 - (A) any provision of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or any rule or regulation promulgated thereunder;
 - (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.
9. K.S.A. 2006 Supp. 40-4906 states, in pertinent part:
 - (c)(1) Any nonresident who is licensed in this state and who moves from one state to another state or a resident agent who moves from this state to another state shall file with the commissioner within 30 days a change of address and provide certification from the new resident state.

Conclusions of Law

10. The Commissioner has jurisdiction over Mr. McLaughlin as well as the subject matter of this proceeding, and such proceeding is held in the public interest.
11. The Commissioner finds that Mr. McLaughlin has failed to provide either a certification from his current state of residence or a copy of a new Wisconsin resident license a violation of K.S.A. 40-4906(c)(1).
12. The Commissioner finds, pursuant to K.S.A. 40-4909(b), that the insurable interests of the public are not properly served under Mr. McLaughlin's license.
13. Accordingly, the Commissioner concludes sufficient grounds exist for the revocation of the insurance agent's license of Mark W. McLaughlin pursuant to K.S.A. 40-4909(a) and (b).

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

1. The Kansas Nonresident Insurance Agent's License of MARK W. MCLAUGHLIN is hereby **REVOKED** effective the effective date of this Order.
2. **IT IS FURTHER ORDERED** that MARK W. MCLAUGHLIN 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

Mark W. McLaughlin, 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. 9th 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. 9th St.
Topeka, Kansas 66612

IT IS SO ORDERED THIS 13th DAY OF FEBRUARY, 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 13th day of February, 2008, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Mark W. McLaughlin
1212 E. Ogden Ave., Apt. 106
Milwaukee, WI 53202-2930

_s/ Stacy R. Bond _____
Stacy R. Bond
Staff Attorney