

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

In the Matter of the Kansas)
Nonresident Insurance Agent's License of) Docket No. 4084-SO
LORRAINE CARA GARDEA)
NPN: # 11188333)

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. 40-4909, the Commissioner hereby revokes the nonresident agent's license of Respondent, **LORRAINE CARA GARDEA** ("Respondent"). 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 Respondent is licensed as a nonresident agent to transact the business of insurance in the State of Kansas, and has been so licensed since October 2, 2008.
2. KID records further indicate a legal address of 7154 W. Mohawk Lane, Glendale, AZ 85308 and a mailing address of 10400 N. 25th Ave., Phoenix, AZ 85021.
3. KID has learned that Respondent's Arizona resident license was revoked for "Failure to Respond; Failure to Provide Legible Fingerprints." The effective date of the revocation was June 16, 2009.
4. To date, Respondent has not notified KID of the revocation.
5. On October 22, 2009, the below signed staff attorney wrote to Respondent about these matters. Respondent did not reply. The letter was returned with a notation

“Return to Sender Attempted – Not Known Unable to Forward”.

6. The employer of Respondent was telephoned and replied that Respondent was no longer employed there and left no forwarding address.

Applicable Law

7. K.A.R. 40-7-9 requires a producer to notify KID within thirty (30) days of any disciplinary action taken on an insurance agent’s license by the insurance regulatory agency of any state.
8. K.S.A. 40-4909(a)(2)(A) requires a producer to obey the provisions of Chapter 40 of the Kansas Statutes or any rule or regulation promulgated thereunder.

Conclusions of Law

9. The Commissioner has jurisdiction over LORRAINE CARA GARDEA as well as the subject matter of this proceeding, and such proceeding is held in the public interest.
10. The Commissioner finds that Respondent’s Kansas nonresident license may be revoked because LORRAINE CARA GARDEA has not reported the revocation of her Arizona resident insurance license.
11. The Commissioner finds, pursuant to K.S.A. 40-4909(b), that the insurable interests of the public are not properly served under Respondent’s license.
12. Accordingly, the Commissioner concludes sufficient grounds exist for the revocation of the insurance agent’s license of LORRAINE CARA GARDEA 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 LORRAINE CARA

GARDEA is hereby **REVOKED** effective the effective date of this Order.

2. **IT IS FURTHER ORDERED** that LORRAINE CARA GARDEA 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

LORRAINE CARA GARDEA, 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 Respondent 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 28th DAY OF January, 2010, 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 ___28th__ day of ___Jan._____, 2010, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Lorraine Cara Gardea
7154 W. Mohawk Lane
Glendale, AZ 85308

_ /s/ John R. Dowell _____
John R. Dowell
Staff Attorney