

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

In the Matter of the Kansas Resident )  
Insurance Agent's License of )  
**LYSSA S. KEYS KING,** ) Docket No. **4439--SO**  
NPN 7820296. )

**SUMMARY ORDER**  
(Pursuant to K.S.A. 40-4909 and K.S.A. 77-537)

Pursuant to authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 40-4909, the Commissioner hereby proposes to find facts and revoke the resident insurance agent's license of Lyssa Keys King ("Respondent") by way of Summary Order as provided by K.S.A. 77-537.

**Findings of Fact**

1. Records maintained by the Kansas Insurance Department ("KID") reflect that Respondent is licensed as a resident insurance agent in the state of Kansas and has been so licensed since April 25, 2008.
2. Respondent's legal and mailing address of record is 5918 Arrowhead Drive, Frisco, TX 75034-4856.
3. 8101 Delaware Drive, McKinney, TX 75070, is shown as Respondent's last known address in a FINRA Form U5 termination notice dated March 22, 2012.
4. In response to KID's inquiry, Respondent confirmed on April 25, 2012, that her current address is 8101 Delaware Drive, McKinney, TX 75070, and KID believes in good faith that Respondent may be served at 8101 Delaware Drive, McKinney, TX 75070-7058.
5. Following investigation, the Commissioner has no reason to believe that protection of the public interest requires the Commissioner to give notice and opportunity to participate to anyone other than Respondent.
6. Following investigation, the Commissioner finds evidence sufficient to support the following facts:

7. Respondent was charged with bank fraud, a felony, in violation of 18 U.S.C. §1344, in the United States District Court for the Eastern District of Texas, case number 4:11CR119.
8. In an order dated November 15, 2011, the district judge accepted Respondent's plea of guilty.
9. By letter dated April 5, 2012, and addressed to Respondent at her address of record, counsel for KID invited Respondent to reply in writing by mail or email if she disputed the foregoing facts.
10. By email message dated April 23, 2012, Respondent did not dispute the facts but offered to surrender her license, and in a subsequent reply confirmed her current address but did not respond to KID's request that she provide information about the status of her criminal case.
11. Thus, the facts are deemed to be undisputed, and the Commissioner assumes from the passage of six months since the plea that Respondent has been sentenced or soon will be, and that the plea reflects Respondent's admission of the truth of each element of the offense.
12. Prior to KID's inquiry, Respondent had not reported either a conviction or her change of address as required by K.A.R. §40-7-9.

#### **Applicable Law**

13. K.S.A. 40-4909(a) provides, in relevant part:

“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 and regulation promulgated thereunder;

(6) Been convicted of a misdemeanor or felony. . . .

(8) Used any fraudulent, coercive, or dishonest practice, or demonstrated any incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere. . . .” K.S.A. 2010 Supp. 40-4909(a).

14. K.A.R. §40-7-9 requires a licensee to report certain events to the Commissioner within 30 days of the occurrence, including criminal convictions and changes of address. K.A.R. §40-7-9(d) and (f).

15. In addition, the Commissioner may revoke any license issued under the Insurance Agents Licensing 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. K.S.A. 2010 Supp. 40-4909(b).

### **Conclusions of Law**

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

17. The Commissioner finds that Respondent's license may be revoked pursuant to K.S.A. 40-4909(a)(8) because Respondent has been found guilty of a felony, and while the judgment is not yet final, Respondent has admitted guilt and declined to provide information about the status of the case or any reason to believe that sentencing is not imminent.

18. The Commissioner finds that Respondent's license may be revoked pursuant to K.S.A. 40-4909(a)(8) because Respondent has used a fraudulent and dishonest practice in making false statements as part of an application for a loan of \$1.2 million dollars, as evidenced by the indictment and plea of guilty in United States District Court for the Eastern District of Texas, case number 4:11CR119.

19. The Commissioner also finds that Respondent's license may be revoked pursuant to K.S.A. 40-4909(a)(2)(A) because Respondent violated K.A.R. §40-7-9 by failing to notify the Commissioner of a change of address within 30 days.

20. Based on the foregoing findings, the Commissioner concludes that sufficient grounds exist for the revocation of Respondent's insurance agent license pursuant to K.S.A. 2010 Supp. 40-4909(a).

21. Further, the Commissioner finds that Respondent's license should be revoked pursuant to K.S.A. 40-4909(b) because it is not serving the interests of the insurer or the insurable interests of the public.

22. 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 the law, the protection of the public interest does not require the KID to give notice and opportunity to participate to persons other than Respondent, and after investigation, KID believes in good faith that the allegations will be supported to the applicable standard of proof.

**Policy to be Served**

Before issuing an insurance agent license, the Commissioner must determine that the applicant is qualified and has not committed any act that would be grounds for denial, suspension, or revocation. K.S.A. 40-4905(b). Further, the Commissioner may revoke any license issued under the Insurance Agents Licensing Act if the Commissioner finds that the interests of the insurer or the insurable interests of the public are not properly served under the license. The following action is appropriate to promote the security and integrity of the insurance business and protect insurance consumers by licensing, or continuing to license, persons or entities to sell, solicit, or negotiate insurance in the State of Kansas only if their conduct indicates they are both qualified and trustworthy.

**THE COMMISSIONER OF INSURANCE THEREFORE ORDERS** that the Kansas resident insurance agent's license of **LYSSA S. KEYS KING** is hereby **REVOKED**, and **LYSSA S. KEYS KING** shall **CEASE and DESIST** from the sale, solicitation, or negotiation of insurance, receiving compensation deriving from the sale, solicitation, or negotiation of insurance conducted on and after the effective date of this order, or performing any act toward the solicitation of or transaction of any business of insurance from and after the effective date of this order.

**It is further ordered**, pursuant to KSA 77-415(b)(2)(A), that this order is designated by KID as precedent.

IT IS SO ORDERED THIS   4th   DAY OF MAY 2012, IN THE CITY OF TOPEKA,  
COUNTY OF SHAWNEE, STATE OF KANSAS.



  /s/ Sandy Praeger    
Sandy Praeger  
Commissioner of Insurance

BY:

  /s/ Zachary J.C. Anshutz    
Zachary J.C. Anshutz  
General Counsel

**NOTICE OF RIGHTS TO HEARING AND REVIEW**

**Within fifteen (15) days of the date of service of this Summary Order, Respondent** may submit a written request for a hearing pursuant to K.S.A. 77-537 and K.S.A. 77-542. Any request for a hearing should be addressed to the following:

Zachary J.C. Anshutz, General Counsel  
Kansas Insurance Department  
420 S.W. 9<sup>th</sup> Street  
Topeka, Kansas 66612

If a hearing is requested, the Kansas Insurance Department will serve notice of the time and place of the hearing and information on procedures, right of representation, and other rights of parties relating to the conduct of the hearing.

**If a hearing is not requested in the time and manner stated above, this Summary Order shall become effective as a Final Order upon the expiration of time for requesting a hearing.** In the event Respondent files 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

Zachary J.C. Anshutz, General Counsel  
Kansas Insurance Department  
420 S.W. 9<sup>th</sup> Street  
Topeka, Kansas 66612

**Certificate of Service**

The undersigned hereby certifies that she served a true and correct copy of the above and foregoing **Summary Order** and accompanying **Notice of Rights** on this 4th day of May, 2012 by causing the same to be placed in the United States Mail, first class postage prepaid, addressed to the following:

Lyssa S. Keys King  
8101 Delaware Drive  
McKinney, TX 75070-7058

\_s/ Brenda J. Clary \_\_\_\_\_  
Brenda J. Clary  
Staff Attorney