

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

In the Matter of the Kansas Resident	)	
Insurance Agent’s License of	)	
<b>SHANON RUIZ. CANNON,</b>	)	Docket No. <b>4758--SO</b>
NPN 10922517.	)	

**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 Kansas resident insurance agent’s license of Shanon Ruiz Cannon (“Respondent”), by way of Summary Order as provided by K.S.A. 77-537.

**Findings of Fact**

1. 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.
2. Following investigation, the Commissioner finds evidence sufficient to support the following facts:
3. Respondent was licensed as a Kansas resident insurance agent on March 16, 2009, and has been continuously so licensed to date.
4. Respondent’s legal address of record is in Overland Park, Kansas, and KID believes in good faith that his current residential and mailing address is 9120 Schweiger Ct., Apt. 153, Lenexa, KS 66219-2124.
5. Although KID received notice of Respondent’s new address from the United States Postal Service in May 2013, Respondent has not reported a change of address.
6. In October 2014, Respondent was charged in Johnson County, Kansas, District Court with identity theft, in violation of K.S.A. 21-6107, a severity level 8, nonperson felony, and unlawfully obtaining a prescription drug in violation of K.S.A. 21-5708, a class A misdemeanor, and had other charges pending in a separate cases.
7. Pursuant to a plea agreement, charges of aggravated battery, in violation of K.S.A. 21-5413, a severity level 7, person felony, and distribution of a hallucinogenic

drug, in violation of K.S.A. 21-5705(a)(4), a severity level 4 drug charge, were added, and the original two felony counts were dismissed.

8. Respondent entered a plea of guilty to aggravated battery, distribution of a hallucinogenic drug, and unlawfully obtaining a prescription drug and was convicted on April 10, 2015, and he was sentenced on May 20, 2015.

9. To date, Respondent has not reported his convictions to KID.

10. By letter dated May 14, 2015, and mailed to Respondent at his last known address, counsel for KID summarized the foregoing facts and invited Respondent to reply by June 1, 2015, if he disputed the statements of fact.

11. To date, Respondent has not replied, and the letter has not been returned; thus, the facts are deemed undisputed.

### **Applicable Law**

12. 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. 2014 Supp. 40-4909(a).

13. 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. 2014 Supp. 40-4909(b).

14. “Each person licensed in this state as an insurance agent shall report the following to the commissioner of insurance within 30 days of occurrence: . . .

(d) all details of any conviction of a misdemeanor or felony. . . .

(f) each change in residence address; and

(g) each change in the name or address of the agency with which the agent is associated.” K.A.R. §40-7-9.

15. A person whose license has been revoked or suspended may not be employed directly or indirectly by an insurance company and “may not perform any act toward the solicitation of or transaction of” insurance business in Kansas. K.S.A. 2014 Supp. 40-4909(g).

16. “Any action taken under this section which affects any license or imposes any administrative penalty shall be taken only after notice and an opportunity for hearing conducted in accordance with the provisions of the Kansas administrative procedures act.” K.S.A. 2014 Supp. 40-4909(c).

### **Conclusions of Law**

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

18. The Commissioner finds from the undisputed facts that Respondent has misdemeanor and felony convictions; thus, the Commissioner concludes that Respondent’s license may be revoked pursuant to K.S.A. 40-4909(a)(6).

19. In addition, the nature of the charges and the convictions, considered together, establish that Respondent’s license may be revoked pursuant to K.S.A. 40-4909(a)(8) because Respondent has used a fraudulent or dishonest practice.

20. Respondent’s license may also be revoked pursuant to K.S.A. 40-4909(a)(2)(A) because Respondent has violated K.A.R. §40-7-9 by failing to report a change of address and by failing to report his conviction.

21. Finally, the Commissioner concludes that Respondent’s license may be revoked pursuant to K.S.A. 40-4909(b) because it is not serving the interests of insurers 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) and K.S.A. 40-4906. 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. K.S.A. 40-4909(b). Thus, the Commissioner is charged 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 following action is appropriate to promote the security and integrity of the insurance business and protect insurance consumers.

**THE COMMISSIONER OF INSURANCE THEREFORE ORDERS** that the Kansas resident insurance agent's license of **SHANON R. CANNON** is hereby **REVOKED**, and **SHANON R. CANNON** shall **CEASE and DESIST** from the sale, solicitation, or negotiation of insurance, doing any act toward the sale, solicitation, or negotiation of insurance, and/or receiving compensation deriving from the sale, solicitation, or negotiation of insurance in Kansas or on Kansas risks through business conducted on and after the effective date of this order.

**IT IS SO ORDERED THIS \_\_10th\_\_ DAY OF JUNE 2015, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**



\_\_\_\_\_/s/ Ken Selzer\_\_\_\_\_  
Ken Selzer, CPA  
Commissioner of Insurance

BY:

\_\_\_\_\_/s/ Diane Minear\_\_\_\_\_  
Diane Minear  
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:

Diane Minear, Interim 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

Diane Minear, Interim 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   10th   day of June 2015 by causing the same to be placed in the United States Mail, first class postage prepaid, addressed to the following:

Shanon Ruiz Cannon  
9120 Schweiger Ct., Apt. 153  
Lenexa, KS 66219-2124

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