

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

In the Matter of the Kansas Resident)	
Insurance Agent's License of)	Docket No. 5067-SO
JESUS CRUZ)	
NPN: # 15692556)	

SUMMARY ORDER

(Pursuant to K.S.A. 40-4909, 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 agent's license of Respondent, **JESUS CRUZ** ("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. Respondent was licensed as a Kansas resident insurance agent on March 4, 2010, and remains licensed to date.
2. Respondent's legal (residential) address of record is 1603 N Glenellen Dr., Garden City, KS 67846-4713.
3. On February 10, 2017, the Kansas Insurance Department ("KID") received notice from Farm Bureau that Respondent wrote policies without consumers' knowledge.
4. KID's Anti-Fraud unit conducted follow-up interviews with four clients that confirmed Respondent wrote policies without their knowledge.
5. KID sent a letter to Respondent on July 5, 2017 detailing the allegations and asking for a response.
6. KID has not received a response to date.

Applicable Law

- Pursuant to K.S.A. 40-4909(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:
 - "(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. 40-4909(a)

Policy Reasons

1. It is in the public interest that the license of an agent who has demonstrated untrustworthiness by signing consumers to policies without their knowledge be revoked.

Conclusions of Law

1. The Commissioner has jurisdiction over **JESUS CRUZ** as well as the subject matter of this proceeding, and such proceeding is held in the public interest.
2. The Commissioner finds that Respondent's Kansas license may be revoked because **JESUS CRUZ** has demonstrated untrustworthiness by signing consumers to policies without their knowledge.
3. The Commissioner finds, pursuant to K.S.A. 40-4909(b), that the interests of the public are not properly served under Respondent's license.
4. Accordingly, the Commissioner concludes that sufficient grounds exist for the revocation of the insurance agent's license of **JESUS CRUZ**, pursuant to K.S.A. 40-4909(a) and (b).

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

1. The Kansas resident Insurance Agent's License of **JESUS CRUZ** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **JESUS CRUZ** 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.

IT IS SO ORDERED THIS 27 DAY OF July, 2017, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Ken Selzer, CPA
Commissioner of Insurance

BY:

Diane Minear
Diane Minear
General Counsel

NOTICE AND OPPORTUNITY FOR HEARING

JESUS CRUZ, 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:

Diane Minear, 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:

Diane Minear, General Counsel
Kansas Insurance Department
420 S.W. 9th St.
Topeka, Kansas 66612

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served the above and foregoing Summary Order on this 27 day of July, 2017, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Jesus Cruz
1603 N Glenellen Dr.
Garden City, KS 67846-4713



Steven M. Lehwald, KS Bar #26069
Staff Attorney