

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

In the Matter of the Kansas Nonresident        )  
Insurance Agent's License of                    )  
**JACOB R. LUTHLE**                                    )  
NPN: # 17224583                                    )

Docket No. 5063-SO

**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, **JACOB R. LUTHLE** ("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 nonresident insurance agent on October 13, 2015, and remains licensed to date.
2. Respondent's legal (residential) address of record is 11430 47th Ave N, Plymouth, MN 55442.
3. On April 4, 2017, the Kansas Insurance Department ("KID") received notice from Prudential that Respondent was terminated for cause effective April 4, 2017. The letter indicated that, in connection with an application for a home mortgage, Respondent signed his manager's name to an income verification statement, represented himself as his manager when the mortgage company called the firm to verify his income, and provided an inaccurate representation in writing as to his annual salary.
4. Upon further inquiry, Prudential provided documentation substantiating the allegations listed for the termination for cause, including confirmations of fax history, phone logs, interview summaries, and recorded phone calls.
5. The investigation confirmed that Respondent forged the signature of Jon Domaas, his manager, impersonated Mr. Domaas on a recorded call, and submitted altered Prudential pay statements in connection with his mortgage application at Waterstone Mortgage Company.
6. KID sent a letter to Respondent on June 13, 2017 detailing the allegations and asking for a response.
7. 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) Use of any fraudulent, coercive, or dishonest practice, or demonstrating any incompetence, untrustworthiness or financial irresponsibility in the conduct of business.” K.S.A. 40-4909(a)

#### Policy Reasons

1. It is in the public interest that the license of an agent who has demonstrated he or she has used any fraudulent or dishonest practice or demonstrated any untrustworthiness in the conduct of business in this state or elsewhere be revoked.

#### Conclusions of Law

1. The Commissioner has jurisdiction over **JACOB R. LUTHLE** 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 **JACOB R. LUTHLE** has used a fraudulent and dishonest act and has demonstrated untrustworthiness in the conduct of business.
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 **JACOB R. LUTHLE**, 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 **JACOB R. LUTHLE** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **JACOB R. LUTHLE** 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

**JACOB R. LUTHLE**, 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. 9<sup>th</sup> 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. 9<sup>th</sup> St.  
Topeka, Kansas 66612

IT IS SO ORDERED THIS 24 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

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he served the above and foregoing Summary Order on this 24 day of July, 2017, by causing the same to be deposited in the United States Mail, first class postage/prepaid, addressed to the following:

Jacob R. Luithle  
11430 47<sup>th</sup> Ave. N.  
Plymouth, MN 55442



Steven M. Lehwald, KS Bar #26069  
Staff Attorney