

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

In the Matter of the Kansas)	
Insurance Agent's License of)	Docket No. 4995-SO
HALIMA L. MUHAMMAD)	
NPN: # 17023918)	

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, **HALIMA L. MUHAMMAD** ("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 that Respondent is licensed as a nonresident agent to transact the business of insurance in the State of Kansas, and has been so licensed since June 3, 2016.
2. KID records further indicate that the last known legal (residential) and mailing address of Ms. Halima L. Muhammad is 1213 Briar Rd, Jacksonville, FL 32211-8817
3. Respondent attempted to pay the \$86.18 application fee by credit card to the National Insurance Producer Registry (NIPR) on June 3, 2016.
4. Respondent was granted a license with the understanding that the application fee was paid.
5. NIPR, the organization that processed the payment, then notified KID that Respondent later disputed the credit card payment and it was not processed.
6. Numerous attempts were made by KID to contact Respondent regarding the situation, including a letter dated February 16, 2017. To date, Respondent has not responded.

Applicable Law

- Pursuant to K.S.A. 40-4905(a), it shall be unlawful for any person to sell, solicit or negotiate any insurance within this state unless such person has been issued a license as an insurance agent in accordance with this act. K.S.A. 40-4905(a)

- Pursuant to K.S.A. 40-4906(a), “...(a) Unless denied licensure pursuant to K.S.A. 40-4909, and amendments thereto, a nonresident person shall receive a nonresident agent license if:
 - (2) such person has submitted the proper request for licensure and has paid to the commissioner a nonrefundable application fee of \$30 and a biennial fee of \$50.” K.S.A. 40-4906(a)(2)
- K.S.A. 40-4909 states, in pertinent part:
 - (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.

Policy Reasons

1. It is in the public interest that the license of an agent who has demonstrated untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere be revoked.

Conclusions of Law

1. The Commissioner has jurisdiction over **HALIMA L. MUHAMMAD** 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 nonresident agent license may be revoked because **HALIMA L. MUHAMMAD** has demonstrated financial irresponsibility in the conduct of business in this state by not paying her application fee.
3. The Commissioner finds that Respondent’s Kansas nonresident agent license may be revoked because **HALIMA L. MUHAMMAD** has demonstrated untrustworthiness by not responding to staff requests for response.
4. 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.
5. Accordingly, the Commissioner concludes that sufficient grounds exist for the revocation of the insurance agent’s license of **HALIMA L. MUHAMMAD**, 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 **HALIMA L. MUHAMMAD** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **HALIMA L. MUHAMMAD** 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

HALIMA L. MUHAMMAD, 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

IT IS SO ORDERED THIS 15th DAY OF March, 2017, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Ken Selzer, CPA
Commissioner of Insurance

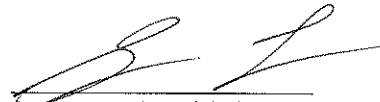
BY:


John Wine
Assistant Commissioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served the above and foregoing Summary Order on this 15th day of March, 2017, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Halima L. Muhammad
1213 Briar Rd
Jacksonville, FL 32211-8817


Steven Lehwald, #26069
Staff Attorney