

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

In the Matter of the Kansas Nonresident)
Insurance Agent's License of) Docket No. 70296
VENESSA VILLAGOMEZ)
NPN: # 17754171)

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, **VENESSA VILLAGOMEZ** ("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 November 5, 2015, and remains licensed to date.
2. Respondent's legal (residential) address of record is 15 W 10th St., Kansas City, MO 64105, and mailing address of record is 7299 W 98th Ter., STE 150, Overland Park, KS 66212
3. On October 17, 2017, the Kansas Insurance Department ("KID") received a notice that Respondent was terminated for cause by Aetna.
4. Aetna's investigation found that it had received multiple complaints against Respondent alleging fraudulent enrollments.
5. Specifically, Aetna investigated two separate consumers' signatures that appeared to be forged on scope of scales appointment confirmation forms.
6. Aetna's investigation found that Respondent may have moved to Arizona.
7. Additionally, Respondent's resident license in Missouri expired on October 19, 2017.

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:
 - (2) Violated:
 - (A) Any provision of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or any rule and regulation promulgated thereunder;
 - (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.

- (10) Forged another person's name to an application for insurance or to any document related to an insurance transaction.” K.S.A. 40-4909(a)
- Pursuant to K.S.A. 40-4906(a), “a nonresident person shall receive a nonresident agent license if:
 - (1) Such person is currently licensed as a resident and in good standing in such person’s home state;”

Policy Reasons

1. It is in the public interest that the license of an agent who has demonstrated fraudulent conduct or that he or she has forged another person’s name to an application for insurance or to any document related to an insurance transaction be revoked.
2. It is in the public interest that the license of an agent who has forged another person’s name to any document related to an insurance transaction be revoked.
3. It is in the public interest that the license of a nonresident agent who lets their license expire or otherwise is not in good standing in their home state be revoked.

Conclusions of Law

1. The Commissioner has jurisdiction over **VENESSA VILLAGOMEZ** 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 **VENESSA VILLAGOMEZ** used fraudulent conduct in the course of doing business.
3. The Commissioner finds that Respondent’s Kansas license may be revoked because **VENESSA VILLAGOMEZ** has forged another person’s name to an application for insurance or to any document related to an insurance transaction.
4. The Commissioner finds that Respondent’s Kansas license may be revoked because **VENESSA VILLAGOMEZ** allowed her resident Missouri agent license to expire.
5. 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.
6. Accordingly, the Commissioner concludes that sufficient grounds exist for the revocation of the insurance agent’s license of **VENESSA VILLAGOMEZ**, pursuant to K.S.A. 40-4909(a) and (b).

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

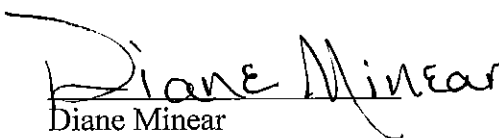
1. The Kansas nonresident Insurance Agent's License of **VENESSA VILLAGOMEZ** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **VENESSA VILLAGOMEZ** shall **CEASE** and **DESIST** from the sale, solicitation or negotiation of insurance and/or receiving compensation deriving from the sale, solicitation or negotiation of insurance conducted after the effective date of this Order.

IT IS SO ORDERED THIS 9 DAY OF November, 2017, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Ken Selzer, CPA
Commissioner of Insurance

BY:


Diane Minear
General Counsel

NOTICE AND OPPORTUNITY FOR HEARING

VENESSA VILLAGOMEZ, 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.

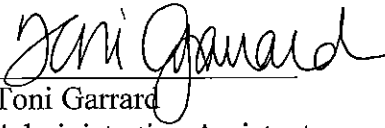
In the event the Respondent files a petition for judicial review, the agency officer designated pursuant to K.S.A. 77-613(e) to receive service of a petition for judicial review on behalf of the Kansas Insurance Department is:

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 9th day of November, 2017, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Venessa Villagomez
15 W 10th St.
Kansas City, MO 64108


Toni Garrard
Administrative Assistant