

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

In the Matter of the Kansas Non-Resident)
Insurance Agent's License of) Docket No. 73321
BIJAN RICHARDS)
NPN: # 17693960)

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, **BIJAN RICHARDS** ("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 non-resident insurance agent on August 26, 2015, and remains licensed to date.
2. Respondent's legal (residential) address of record is 6322 Sprague St. Omaha, NE, 68104-2665.
3. On May 17, 2018, the Kansas Insurance Department ("KID") received a notice of termination for cause for Respondent from Mutual of Omaha Insurance Company ("Mutual of Omaha").
4. Mutual of Omaha advised KID that Respondent registered policies with addresses that do not exist or do not have a policy owner/payor's name associated to the address.
5. Mutual of Omaha further advised KID that Respondent's initial premiums for policies sold were returned as being "unable to locate."
6. KID sent a letter to Respondent on June 5, 2018 detailing the allegations and asking for a response.
7. KID did not receive a response from Respondent.

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.

Policy Reasons

1. It is in the public interest that the license of an agent who has 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 be revoked.

Conclusions of Law

2. The Commissioner has jurisdiction over **BIJAN RICHARDS** as well as the subject matter of this proceeding, and such proceeding is held in the public interest.
3. The Commissioner finds that Respondent's Kansas non-resident agent license may be revoked because **BIJAN RICHARDS** used fraudulent, coercive, or dishonest practice, or demonstrated any incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.
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 **BIJAN RICHARDS**, pursuant to K.S.A. 40-4909(a) and (b).

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

1. The Kansas non-resident Insurance Agent's License of **BIJAN RICHARDS** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **BIJAN RICHARDS** 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 6th DAY OF July, 2018, 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

BIJAN RICHARDS, 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 6 day of July, 2018, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Bijan Richards
6322 Sprague St.
Omaha, NE, 68104-2665

A handwritten signature in black ink, appearing to read 'S. Lehwald', written over a horizontal line.

Steven Lehwald
Staff Attorney