

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

In the Matter of the Kansas Resident)
Insurance Agent's License of)
KRISTIN R. BRYANT)
NPN: # 15361129)

Docket No. 73016

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, **KRISTIN R. BRYANT** ("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 August 21, 2015, and remains licensed to date.
2. Respondent's legal (residential) address of record is 311 W Capaldo Rd, Frontenac, KS 66763.
3. On October 25, 2017, the Kansas Insurance Department ("KID") received a suspected fraud report from American Family Life Assurance Co. of Colorado ("AFLAC").
4. The report alleged that Respondent established fictitious groups in order to get payroll rates.
5. Specifically, AFLAC's investigation found the following groups which appeared to be fictitious:
 - a. Bryant LLC.
 - b. Evan's Bakery.
6. AFLAC's investigation also noted the following:
 - a. One policyholder, A.R., had policies under both Bryant LLC and Evan's Bakery.
 - b. Policyholders of Evan's Bakery all had the same addresses as the company.
 - c. Respondent, D.B., and A.R. all filed claims under Bryant LLC and D.B. received \$2,030 and A.R. received \$400 in claims benefits.
7. AFLAC attempted to verify the businesses through online searches and checking with the Kansas Secretary of State's office and were unable to do so.
8. AFLAC attempted to contact Respondent about the discrepancies and was unable to do so.
9. KID attempted to send a letter to Respondent on May 17, 2018 detailing the allegations and asking for a response.
10. The letter was returned by the post office as undeliverable due to Respondent moving and leaving no forwarding address.
11. Respondent has not updated KID with a new address as required by Kansas Administrative Regulation 40-7-9(f).

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:
 - (7) Admitted to or been found to have committed any insurance unfair trade practice or fraud in violation of K.S.A. 40-2404, and amendments thereto.
 - (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)
- Pursuant to K.A.R. 40-7-9, “Each person licensed in this state as an insurance agent shall report the following to the commissioner of insurance within 30 days of occurrence:
 - (f) Each change in resident address.” K.A.R. 40-7-9

Policy Reasons

1. It is in the public interest that the license of an agent who has been found to have committed fraud in violation of K.S.A. 40-2404 be revoked.
2. It is in the public interest that the license of an agent who has used fraudulent conduct or demonstrated any incompetence, untrustworthiness or financial irresponsibility in the conduct of business be revoked.

Conclusions of Law

1. The Commissioner has jurisdiction over **KRISTIN R. BRYANT** 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 **KRISTIN R. BRYANT** has been found to have committed fraud in violation of K.S.A. 40-2404.
3. The Commissioner finds that Respondent’s Kansas license may be revoked because **KRISTIN R. BRYANT** used fraudulent conduct or demonstrated any incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state.
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 **KRISTIN R. BRYANT**, 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 **KRISTIN R. BRYANT** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **KRISTIN R. BRYANT** 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 5 DAY OF June, 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

KRISTIN R. BRYANT, 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.

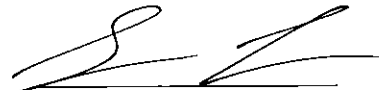
In the event the Respondent files a petition for judicial review, the agency officer designated pursuant to K.S.A. 77-613(e) to receive service of a petition for judicial review on behalf of the Kansas Insurance Department is:

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 5 day of June, 2018, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Kristin R. Bryant
311 W Capaldo Rd
Frontenac, Kansas 66763-8124



Steven Lehwald
Staff Attorney