

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

In the Matter of the Application for)
Kansas Resident Insurance Agent's License of)
Daniel S. Compton) Docket No. 70940
NPN 18654565)

CONSENT AGREEMENT AND ORDER
(Pursuant to K.S.A. 40-4909 and K.S.A. 77-501 et seq.)

Pursuant to the authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 40-103 and in accordance with K.S.A. 40-4901 et seq., and K.S.A. 77-501 et seq., the Commissioner hereby accepts the stipulations of the parties, and grants the application of Daniel S. Compton ("Applicant") for a Kansas resident insurance agent license as outlined in this order. This Consent Agreement shall become effective as a Final Order, without further notice when signed by the Commissioner or his designee and filed of record with the Kansas Insurance Department ("KID").

FINDINGS OF FACT

1. Applicant is a resident of Wichita, Kansas.
2. Applicant submitted to KID an application for a Kansas resident insurance agent license, and KID has denied the application.
3. Applicant initially denied ever having been convicted of a misdemeanor, but after a background check and inquiry from KID, Applicant acknowledged a misdemeanor conviction for a worthless check in Saline Co. District Court in 2003.
4. Applicant did not realize the conviction was on his record as a misdemeanor.
5. Applicant acknowledges the right to have a hearing on the facts and disposition and to seek review of any adverse order in this matter has been fully and satisfactorily explained.
6. In lieu of a hearing and uncertain disposition, Applicant acknowledges that legal grounds exist for denial of the license application and agrees, as consideration for issuance of the license, to entry of an order making a record of his conduct and agrees to pay costs of additional investigation and the hearing proceeding.
7. Applicant expressly waives hearing and stipulates that incorrect information on a license application and conviction of a misdemeanor constitute legal and sufficient grounds for denial of an application for a license.

8. Applicant stipulates that the Commissioner has jurisdiction of his person and the subject matter of this action.
9. For purposes of an agreed order, Applicant waives any and all rights to administrative and judicial review, expressly including any challenge to the Commissioner's authority to assess costs of investigation and hearing.
10. Applicant acknowledges that any misrepresentation or material omission in the application and supporting documents, or a new offense, would constitute grounds for immediate suspension or revocation of the license.
11. Applicant acknowledges that the Commissioner's order must be reported to a database accessible to insurance companies and other regulators and will be an open record accessible to the public and posted on KID's website.

APPLICABLE LAW

K.S.A. §40-4909(a) provides, in relevant part:

“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:

(1) Provided incorrect, misleading, incomplete or untrue information in the license application....

(6) Been convicted of a misdemeanor or felony”....K.S.A. 40-4909(a)

K.S.A. § 40-4909(c) provides, in relevant part:

“Any action taken under this section which affects any license or imposes any administrative penalty shall be taken only after notice and an opportunity for hearing conducted in accordance with the provisions of the Kansas administrative procedures act.”

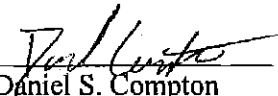
K.S.A. 40-4909(c).

CONCLUSIONS OF LAW

1. The Commissioner has jurisdiction over Applicant as well as the subject matter of this proceeding, and such proceeding is held in the public interest.
2. The Commissioner finds that Applicant's application may be denied pursuant to K.S.A. 40-4909(a)(1) because, on the application, Applicant incorrectly denied having been convicted of a misdemeanor; and pursuant to K.S.A. 40-4909(a)(6) because Applicant has been convicted of a misdemeanor.
3. However, the Commissioner has discretion to find that the circumstances do not require denial of the license.
4. In reliance upon the nature of Applicant's conviction and the fact that Applicant has no other criminal history, the Commissioner finds that Applicant should be sanctioned for the error on the application but that the conviction does not currently indicate that Applicant poses a risk to Kansas consumers or to the business of insurance.

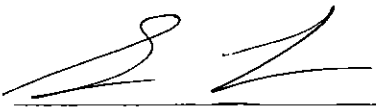
STIPULATION

I hereby certify that all statements and information I provided in connection with my application for a Kansas resident insurance agent's license are now true and complete. I further stipulate and agree to the above findings, facts, and conclusions of law and waive my rights to an administrative hearing and judicial review of the Commissioner's Order.



Daniel S. Compton 1-3-2018
Applicant Date

Prepared by:



Steven M. Lehwald, 26069
Staff Attorney, KID

ORDER

Before issuing an insurance agent license, the Commissioner must determine that the applicant is qualified and has not committed any act that would be grounds for denial, suspension, or revocation. K.S.A. 40-4905(b) and 40-4906. Further, the Commissioner may revoke any license issued under the Insurance Agents Licensing Act if the Commissioner finds that the interests of the insurer or the insurable interests of the public are not properly served under the license. The following action is appropriate to promote the security and integrity of the insurance business and protect insurance consumers by licensing, or continuing to license, persons or entities to sell, solicit, or negotiate insurance in the State of Kansas only if their conduct indicates they are both qualified and trustworthy.

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT

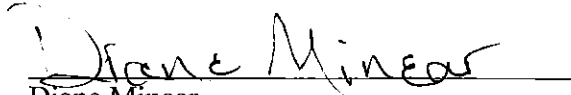
- 1. Applicant Daniel S. Compton shall pay investigative and hearing costs in the amount of \$100.00, receipt of which is hereby acknowledged.**
- 2. The Kansas Insurance Department shall issue a Kansas resident insurance agent license to Daniel S. Compton effective on the date of this order or the date passing examination scores are reported to KID, whichever is later.**
- 3. Licensee shall disclose the existence of this order on any company or licensing authority application as a disciplinary action involving the license.**

IT IS SO ORDERED THIS 3 DAY OF January, 2018, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Ken Selzer, CPA
Commissioner of Insurance

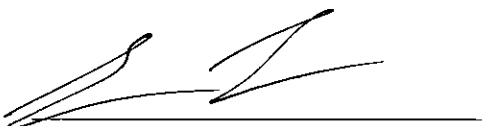
BY:


Diane Minear
General Counsel

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served a true and correct copy of the above and foregoing Consent Agreement & Order and accompanying Notice of Rights on this 3 day of January 2018 by causing the same to be placed in the United States Mail, first class postage prepaid, addressed to the following:

Daniel S. Compton
14721 E Sundance St
Wichita, KS 67230-7160


Steven M. Lehwald, #26069
Staff Attorney