

**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. 73479  
**ROBERT DILLON** )  
NPN: # 15136933 )

**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, **ROBERT DILLON** ("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 October 8, 2014, and remains licensed to date.
2. Respondent's legal (residential) address of record is 403 Constantz Dr. Canton, MO 63435 and Respondent's mailing address is 1100 E Outer Rd. S Ste. 2, Canton, MO 63435.
3. On February 23, 2018, Respondent resigned from his contractual agreement with American Family Insurance ("American").
4. On February 27, 2018, the Kansas Insurance Department ("KID") received a notice of premium misappropriation by a licensed producer from American. The notice advised that Respondent misappropriated premiums received from an insured in 2017.
5. After further inquiry, American advised they found the following:
  - On August 16, 2017, Respondent applied only \$1,853.43 of a total of \$6,853.43 into an insured's account.
  - Respondent applied debit/credit card payments of \$500.00 on October 9, 2017 and \$606.00 on November 22, 2017 into an insured's account without their knowledge.
  - Respondent's American user ID was used to enter the above transactions.
  - Respondent currently owes American \$19,617.35 for an electronic withdrawal of premiums from Respondent's premium trust account that was returned for insufficient funds.
6. KID sent a letter to Respondent on July 6, 2018 detailing the allegations and asking for a response.
7. KID did not receive a response from the July 6, 2018 letter.

### 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:
  - (4) Improperly withheld, misappropriated or converted any moneys or properties received in the course of doing insurance business . . . [and/or]
  - (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 improperly withheld, misappropriated or converted any moneys or properties received in the course of doing insurance business be revoked.
2. 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

1. The Commissioner has jurisdiction over **ROBERT DILLON** 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 non-resident agent license may be revoked because **ROBERT DILLON** improperly withheld, misappropriated or converted any moneys or properties received in the course of doing insurance business in the course of doing insurance business.
3. The Commissioner finds that Respondent’s Kansas non-resident agent license may be revoked because **ROBERT DILLON** 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 **ROBERT DILLON**, 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 **ROBERT DILLON** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **ROBERT DILLON** 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 13<sup>th</sup> DAY OF AUGUST, 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**

**ROBERT DILLON**, 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. 9<sup>th</sup> 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.

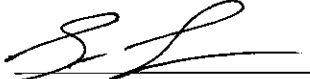
In the event the Respondent files a petition for judicial review, the agency officer designated pursuant to K.S.A. 77-613(e) to receive service of a petition for judicial review on behalf of the Kansas Insurance Department is:

Diane Minear, General Counsel  
Kansas Insurance Department  
420 S.W. 9<sup>th</sup> St.  
Topeka, Kansas 66612

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he served the above and foregoing Summary Order on this 13<sup>th</sup> day of August, 2018, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Robert Dillon  
1100 E Outer Rd. S Ste. 2  
Canton, MO 63435

  
Steven Lehwald  
Staff Attorney