

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

In the Matter of the Kansas)	
Insurance Agent's License of)	Docket No. 73126
KRISTINA M. KAHMER)	
NPN# 7011112)	

SUMMARY ORDER

(Pursuant to K.S.A. 2016 Supp. 40-4909, K.S.A. 40-246a, K.S.A. 77-501)

Pursuant to the authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 2016 Supp. 40-4909 and K.S.A. 2016 Supp. 40-246a, the Commissioner hereby revokes the agent's Excess Lines license of Respondent **Kristina M. Kahmer** ("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 issued a Kansas Excess Lines license on March 17, 2017, and remains licensed to date.
2. Respondent's legal (residential) and mailing address of record is 10 W. Ward St., Ridley Park, PA 19078-3023.
3. The Kansas Insurance Department ("KID") sent an order to Respondent on March 16, 2018, assessing a \$100 penalty and ordering Respondent to file and pay double the amount of excess lines taxes collected for 2017, pursuant to K.S.A. 2016 Supp. 40-246a.
4. Respondent did not pay the assessed penalty and file the 2017 tax return.
5. KID sent a letter on May 1, 2018, reminding Respondent of the action taken and directing Respondent to respond.
6. Respondent has yet to respond.

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." K.S.A. 2016 Supp. 40-4909(a)
- Pursuant to K.S.A. 40-246a, "The insurance commissioner shall collect double the amount of the tax provided by law from any insurance company, agent or nonresident

agent receiving premiums in violation of the manner prescribed in this act, and may suspend or revoke the license of any company, agent or nonresident agent willfully failing to comply therewith. Any agent or nonresident agent who shall write business in any company not authorized to transact business in this state or as otherwise provided by law shall be personally liable for such tax.” K.S.A. 2016 Supp. 40-246a.

Conclusions of Law

1. The Commissioner has jurisdiction over **Kristina M. Kahmer** 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 Excess Lines license may be revoked because **Kristina M. Kahmer** has failed to comply with the Commissioner’s previous order Failure to File & Pay.
3. Accordingly, the Commissioner concludes that sufficient grounds exist for the revocation of the Excess Lines license of **Kristina M. Kahmer**, pursuant to K.S.A. 40-4909(a) and K.S.A. 40-246(a).

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

1. The Kansas Excess Lines license of **Kristina M. Kahmer** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **Kristina M. Kahmer** 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 related to Excess Lines conducted after the effective date of this Order.

NOTICE AND OPPORTUNITY FOR HEARING

Kristina M. Kahmer, 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

IT IS SO ORDERED THIS 24th DAY OF MAY, 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

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served the above and foregoing Summary Order on this 24th day of May 2018, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Kristina M. Kahmer
10 W. Ward St.
Ridley Park, PA 19078-3023

Steven M. Lehwald, KS Bar #26069
Staff Attorney