

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

In the Matter of the Kansas Nonresident)
Insurance Agent’s License of) Docket No. 83384
JESSE DUNLOP)
NPN: # 17181659)

SUMMARY ORDER

(Pursuant to K.S.A. 40-4909, K.S.A. 77-501 *et seq.*)

Pursuant to the authority granted to the Commissioner of Insurance (“Commissioner”) by K.S.A. 40-4909, the Commissioner hereby revokes the insurance agent’s license of Respondent **JESSE DUNLOP** (“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 nonresident agent on October 11, 2018, and remains licensed to date.
2. Respondent’s address of record is [REDACTED], DeWitt, IA [REDACTED].
3. On February 18, 2020, Respondent was terminated from Mutual of Omaha Insurance Company and United of Omaha Insurance Company.
4. On February 18, 2020, the Kansas Insurance Department (“Department”) received notice of termination for cause for Respondent from Mutual of Omaha Insurance Company.
5. On April 28, 2020, the Department sent a letter to Respondent requesting a written explanation of the reason for his termination from Mutual of Omaha Insurance Company and United of Omaha Insurance Company.
6. Respondent’s insurance agent license in his home state of Iowa expired on February 1, 2020.
7. Respondent, to this date, has not responded to the Department’s request for an explanation.

Applicable Law

1. 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.”
2. Pursuant to K.S.A. 40-4906(a), “Unless denied licensure pursuant to K.S.A. 40-4909, and amendments thereto, a nonresident person shall receive a nonresident agent license if:

- (1) Such person is currently licensed as a resident and in good standing in such person's home state."
- 3. Pursuant to K.S.A. 40-4909(b), "In addition, the commissioner may suspend, *revoke* or refuse renewal of any license issued under this act if the commissioner finds that the interests of the insurer or the insurable interests of the public are not properly served under such license."

Policy Reasons

1. It is in the public interest that the license of an agent who has violated any insurance law or regulation of this state or another state be revoked.
2. It is in the public interest that the license of a nonresident agent who does not have a license in good standing in their home state be revoked.

Conclusions of Law

1. The Commissioner has jurisdiction over **JESSE DUNLOP** as well as the subject matter of this proceeding, and such proceeding is held in the public interest.
2. The Commissioner finds, pursuant to K.S.A. 40-4906, that Respondent's license may be revoked because **JESSE DUNLOP** does not have a license in good standing in his home state of Iowa.
3. The Commissioner finds, pursuant to K.S.A. 40-4909(b), that the insurable interests of the public are not properly served under Respondent's license because Respondent failed to respond to a proper inquiry of the Commissioner and failed to maintain a license in his home state.
4. Accordingly, the Commissioner concludes that sufficient grounds exist for the revocation of the insurance agent's license of **JESSE DUNLOP**, 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 **JESSE DUNLOP** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **JESSE DUNLOP** 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. Such activity is unlawful without a valid insurance agent's license in Kansas.

IT IS SO ORDERED THIS 7th DAY OF OCTOBER, 2020, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Vicki Schmidt
Commissioner of Insurance

BY:


Justin L. McFarland
General Counsel

NOTICE AND OPPORTUNITY FOR HEARING

JESSE DUNLOP, 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:

Jill Spurling
Kansas Insurance Department
1300 SW Arrowhead Rd.
Topeka, Kansas 66604

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:

Justin L. McFarland, General Counsel
Kansas Insurance Department
1300 SW Arrowhead Rd.
Topeka, Kansas 66604

Pursuant to K.S.A. 77-607 and 77-612, exhaustion of administrative remedies is jurisdictional prerequisite to seeking judicial review.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she served the above and foregoing Summary Order on this 11th day of October, 2020, by causing the same to be deposited in the United States Mail, certified, addressed to the following:

Jesse Dunlop

██████████
DeWitt, IA ██████████



Toni Garrard
Senior Administrative Assistant