

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

In the Matter of the Kansas)
Insurance Agent’s License of) Docket No. 81521
MATTHEW JAMIN HAWKINS)
NPN: # 17576116)

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 agent’s license of Respondent, **MATTHEW JAMIN HAWKINS** (“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. Records maintained by the Kansas Insurance Department (“the Department”) indicate that Respondent is licensed as a nonresident agent to transact the business of insurance in the State of Kansas, and has been so licensed since June 18, 2019.
2. The Department records further indicate that the last known legal (residential) address of Mr. Matthew Jamin Hawkins is [REDACTED] Avondale, AZ [REDACTED]-[REDACTED] and last known mailing address of [REDACTED]. [REDACTED] Tampa, FL [REDACTED]-[REDACTED]
3. Respondent attempted to pay the \$86.18 application fee by credit card to the National Insurance Producer Registry (“NIPR”) on June 17, 2019.
4. Respondent was granted a license with the understanding that the application fee was paid.
5. NIPR, the organization that processed the payment, then notified the Department that Respondent later disputed the credit card payment and it was not processed.
6. The Department attempted to contact Respondent regarding the situation, including by email on November 1, 2019 and by letter dated November 1, 2019. The letter was mailed to both the legal and mailing address on record. To date, Respondent has not responded.

Applicable Law

- Pursuant to K.S.A. 40-4905(a), it shall be unlawful for any person to sell, solicit or negotiate any insurance within this state unless such person has been issued a license as an insurance agent in accordance with this act. K.S.A. 40-4905(a).
- Pursuant to K.S.A. 40-4906(a), “...(a) Unless denied licensure pursuant to K.S.A. 40-4909, and amendments thereto, a nonresident person shall receive a nonresident agent license if:
 - (2) such person has submitted the proper request for licensure and has paid to the commissioner a nonrefundable application fee of \$30 and a biennial fee of \$50.” K.S.A. 40-4906(a)(2)
- K.S.A. 40-4909 states, in pertinent part:
 - (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:
 - (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 demonstrated 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 **MATTHEW JAMIN HAWKINS** 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 nonresident agent license may be revoked because **MATTHEW JAMIN HAWKINS** has demonstrated financial irresponsibility in the conduct of business in this state by not paying his application fee.
3. The Commissioner finds that Respondent’s Kansas nonresident agent license may be revoked because **MATTHEW JAMIN HAWKINS** has demonstrated untrustworthiness by not responding to staff requests for response.
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 **MATTHEW JAMIN HAWKINS**, 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 **MATTHEW JAMIN HAWKINS** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **MATTHEW JAMIN HAWKINS** 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 10th DAY OF DECEMBER, 2019, 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

MATTHEW JAMIN HAWKINS, 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:

Justin L. McFarland, General Counsel
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:

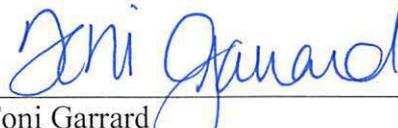
Justin L. McFarland, General Counsel
Kansas Insurance Department
1300 SW Arrowhead Rd.
Topeka, Kansas 66604

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served the above and foregoing Summary Order on this 16th day of December, 2019, by causing the same to be deposited in the United States Mail, certified first class postage prepaid, addressed to the following:

Matthew Jamin Hawkins
[REDACTED]
Avondale, AZ [REDACTED]

Matthew Jamin Hawkins
[REDACTED]
Tampa, FL [REDACTED]



Toni Garrard
Senior Administrative Assistant