

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

**In the Matter of the Kansas Nonresident
Insurance Producer's License of
ANTHONY T. DAVIS
NPN # 18913799**

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Docket No. 82431

SUMMARY ORDER OF REVOCATION

(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. 40-4909 and K.S.A. 77-501 *et seq.*, the Commissioner hereby **REVOKES** the nonresident insurance producer's license of **ANTHONY T. DAVIS** ("Respondent"). This Summary Order of Revocation shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no request for a hearing is made.

Findings of Fact

1. Respondent was licensed as a Kansas nonresident insurance producer until his license was terminated on May 11, 2021 for failure to renew.
2. Respondent's address of record is [REDACTED], Tampa, FL
[REDACTED]
3. On December 10, 2019, Respondent was terminated for cause from Freedom Life Insurance Company ("FLIC"), The termination for cause notice sent by FLIC to the Kansas Insurance Department ("Department") stated Respondent was fired after an audit discovered that the high number of clients cancelling were given fictitious addresses where policy information was returned undeliverable. Respondent financially harmed three individuals who were citizens of states outside of Kansas.

4. On November 18, 2019, FLIC reached out to Respondent during the audit confronting respondent with why documents were undeliverable and policies under him were being cancelled for failing to pay premiums. Respondent was “uncooperative” and FLIC described his acts as “intentional.”

5. FLIC’s investigation revealed Respondent submitted electronic applications to the company without the applicant’s knowledge using fake addresses, emails, and phone numbers. FLIC believes Respondent used prior applicants’ banking and routing information for the fictitious accounts since the accounts were already verified.

6. On December 11, 2019, USHealth Advisors terminated Respondent’s contract for cause for fraudulent activity after breaching the provisions in his Agent Agreement with USHealth Advisors. USHealth Advisors is demanding a repayment of principal and interest of his debt in the amount of \$61,229.32.

7. On January 13, 2020, FLIC responded to a letter from the Department’s January 6, 2020 require for investigative case files concluding Respondent “knowingly submitted several fraudulent applications... for the sole purpose of being advanced commissions and caused financial harm to several unsuspecting clients”

8. On February 12, 2020, the Department sent an inquiry to Respondent regarding his termination for cause from FLIC.

9. On April 16, 2020, the Utah Insurance Department revoked Respondent’s nonresident insurance producer license.

10. On August 3, 2021, the Nevada Division of Insurance revoked Respondent’s nonresident insurance producer license.

11. On October 15, 2021, the Florida Office of Insurance Regulation revoked Respondent's nonresident insurance producer license.

12. To this date, Respondent has not responded to the Department's inquiry or reported the administrative actions taken by other states.

Applicable Law

K.S.A. 40-4905(f)(1)(A) provides:

Each person or entity licensed in this state as an insurance agent shall report each disciplinary action on the agent's license or licenses by the insurance regulatory agency of any other state or territory of the United States within 30 calendar days of occurrence

K.S.A. 40-4906(a)(1) provides:

Unless denied licensure pursuant to K.S.A. 40-4909, and amendments thereto, a nonresident person shall receive a nonresident agent license if such person is currently licensed as a resident and in good standing in such person's home state.

K.S.A. 40-4909(a)(2)(A) provides:

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 violated any provision of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or any rules and regulations promulgated thereunder.

K.S.A. 40-4909(a)(8) provides:

The Commissioner may deny, suspend, revoke or refuse renewal of an insurance producer's license upon finding that Respondent 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.

K.S.A. 40-4909(a)(10) provides:

The Commissioner may deny, suspend, revoke or refuse renewal of an insurance producer's license upon finding that Respondent has forged another person's name to an application for insurance or to any document related to an insurance transaction.

K.S.A. 40-4909(b) provides:

The Commissioner may suspend, revoke or refuse renewal of an insurance producer's license upon finding that the interests of the insurer or the insurable interests of the public are not properly served under Respondent's license.

Policy Reasons

1. It is in the public interest that the license of a producer who has submitted an application for insurance without an applicant's knowledge or consent be revoked.
2. It is in the public interest that the license of a producer who has intentionally provided inaccurate information on applications for insurance be revoked.
3. It is in the public interest that the license of a producer who has electronically signed applications for insurance on behalf of the applicant without an applicant's consent be revoked.
4. It is in the public interest that the license of a producer who has misappropriated financial information of previous clients without clients' consent for fictitious applications be revoked.
5. It is in the public interest that the license of a producer who has failed to report other state administrative actions against their license be revoked.

Conclusions of Law

1. The Commissioner has jurisdiction over **ANTHONY T. DAVIS** as well as the subject matter of this proceeding, and such proceeding is held in the public interest.
2. Pursuant to K.S.A. 40-4909(a)(2)(A), the Commissioner finds that Respondent's Kansas nonresident insurance producer license may be revoked because **ANTHONY T. DAVIS** has violated K.S.A. 40-4905(f)(1) by failing to report to the Commissioner the administrative actions taken by other states.
3. Pursuant to K.S.A. 40-4909(a)(2)(A), the Commissioner finds that Respondent's Kansas nonresident insurance producer license may be revoked because **ANTHONY T. DAVIS**

has violated K.S.A. 40-4906(a) by failing to maintain a resident license in his home state that is in good standing.

4. Pursuant to K.S.A. 40-4909(a)(8), the Commissioner finds that Respondent's Kansas nonresident insurance producer license may be revoked because **ANTHONY T. DAVIS** used fraudulent, coercive, or dishonest practice, or demonstrated any incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

5. Pursuant to K.S.A. 40-4909(a)(10), the Commissioner finds that Respondent's Kansas nonresident insurance producer license may be revoked because **ANTHONY T. DAVIS** forged another person's name to an application for insurance or to any document related to an insurance transaction.

6. Pursuant to K.S.A. 40-4909(b), the Commissioner finds that the insurable interests of the public are not properly served under the Kansas nonresident insurance producer's license of **ANTHONY T. DAVIS**.

7. Pursuant to K.S.A. 40-4909(a) and (b), the Commissioner concludes that sufficient grounds exist for revocation of the Kansas nonresident insurance producer's license of **ANTHONY T. DAVIS**.

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

1. The Kansas nonresident insurance producer's license of **ANTHONY T. DAVIS** is hereby **REVOKED** the effective date of this Order.

2. **IT IS FURTHER ORDERED** that **ANTHONY T. DAVIS** 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 3rd DAY OF DECEMBER 2021, 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

ANTHONY T. DAVIS, 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 producer/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 on 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 a jurisdictional prerequisite to seeking judicial review.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she served the above-and-foregoing Summary Order of Revocation on this 30 day of December 2021, by causing the same to be deposited in the United States Mail, certified, addressed to the following:

Anthony T. Davis

[REDACTED]

Tampa, FL [REDACTED]

Respondent

And via email to:

[REDACTED]



Sarah Cowan
Legal Assistant