

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

**In the Matter of the Kansas Nonresident  
Insurance Producer's License of  
TY GLIBA  
NPN # 1908185**

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**Docket No. 100165**

**SUMMARY ORDER**  
**REFUSAL TO RENEW AND 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** and **REFUSES RENEWAL OF** the Kansas nonresident insurance producer's license of **TY GLIBA** ("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 a hearing is made.

**Findings of Fact**

1. Respondent was licensed as a Kansas nonresident insurance producer on April 28, 2020, and his license expired December 31, 2022.
2. Respondent's address of record is [REDACTED], Beaverton, OR [REDACTED]
3. On December 13, 2022, Respondent submitted a Kansas nonresident insurance producer license renewal application ("Application") to the Kansas Insurance Department ("Department").
4. Respondent answered "Yes" to Question 1a of the Background Questions on the Application which asks, "Have you been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor, which has not been previously reported to this insurance department?"

5. Upon the Department's review of the documentation submitted with the renewal application, it was determined that the Respondent was convicted of the misdemeanor charge of criminal mischief in the second degree in the Washington County Circuit Court, Oregon, on October 31, 2022, in Case Number 22CR47876. The date of the offense was August 26, 2022. The court suspended imposition of sentence and the Respondent was placed on supervised probation for two years.

6. The Respondent was convicted of violation a court's stalking protective order in the Washington County Circuit Court, Oregon, on October 31, 2022, in Case Number 22CR47909. The date of the offense was August 26, 2022. The court suspended imposition of sentence and placed the Respondent on supervised probation for two years.

7. The Applicant submitted a written statement in which he admitted to the underlying conduct which led to the criminal charges.

8. After reviewing the documentation, the conduct underlying the criminal charges and the charges themselves are of a nature that the insurable interest of the public is no longer served by the Respondent's license.

9. While documentation was uploaded to the NIPR Attachments Warehouse ("Warehouse") for the Respondent in connection to questions on his renewal applications, these convictions were not properly disclosed to the Department either directly or through a Reporting of Action through the Warehouse.

#### **Applicable Law**

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. 40-4905(f)(1)(D) provides:

Each person or entity licensed in this state as an insurance agent shall report the following to the commissioner within 30 calendar days of occurrence all details of any conviction of a misdemeanor or felony other than minor traffic violations. The details shall include the name of the arresting agency, the location and date of the arrest, the nature of the charge or charges, the court in which the case was tried and the disposition rendered by the court.

K.S.A. 40-4909(a)(6) 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 been convicted of a misdemeanor or felony.

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

The Commissioner may deny, 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 insurance producer who has failed to properly and timely report misdemeanor convictions to the Department be refused renewal and revoked.

2. It is in the public interest that the license of an insurance producer who has committed conduct underlying misdemeanor charges of this nature be refused renewal and revoked.

3. It is in the public interest that the license of an insurance producer who has been convicted of misdemeanors of these types and circumstances be refused renewal and revoked.

#### **Conclusions of Law**

1. The Commissioner has jurisdiction over **TY GLIBA** 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) and K.S.A. 40-4905(f)(1)(D), the Commissioner finds that the nonresident insurance producer license of **TY GLIBA** should be refused renewal and revoked for failure to properly and timely notify the Department of the misdemeanor convictions.

3. Pursuant to K.S.A. 40-4909(a)(6), the Commissioner finds that the nonresident insurance producer license of **TY GLIBA** should be refused renewal and revoked based on the convictions for misdemeanor offenses.

4. Pursuant to K.S.A. 40-4909(b), the Commissioner finds that the insurable interests of the public are no longer properly served under the Kansas nonresident insurance producer's license of **TY GLIBA** due to conduct underlying the misdemeanor charges.

5. Pursuant to K.S.A. 40-4909(a) and K.S.A. 40-4909(b), the Commissioner concludes that sufficient grounds exist for the refused renewal and revocation of the Kansas nonresident insurance producer's license of **TY GLIBA**.

**IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:**

1. The Kansas nonresident insurance producer's license of **TY GLIBA** is hereby **REFUSED RENEWAL** the effective date of this Order.

2. The Kansas nonresident insurance producer's license of **TY GLIBA** is hereby **REVOKED** the effective date of this Order.

3. **IT IS FURTHER ORDERD** that **TY GLIBA** shall **CEASE** and **DESIST** from the sale, solicitation or negotiation of insurance in Kansas and/or receiving compensation deriving from the sale, solicitation or negotiation of insurance in Kansas conducted after the effective date of this Order.

IT IS SO ORDERED THIS 23<sup>rd</sup> DAY OF May 2023, 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**

**TY GLIBA**, within fifteen (15) days of service (plus 3 additional days for mailing) of this Summary Order, you 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:

Mindy Forrer  
Kansas Insurance Department  
1300 SW Arrowhead Rd.  
Topeka, Kansas 66604

Or via email to: [mindy.forrer@ks.gov](mailto:mindy.forrer@ks.gov)

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 (plus 3 additional days for mailing) 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 with the District Court, 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 Refusal of Renewal and Revocation on this 23<sup>rd</sup> day of May 2023, by causing the same to be deposited in the United States Mail, certified, addressed to the following:

Ty Gliba

[REDACTED]

Beaverton, OR [REDACTED]

And via email to:

[REDACTED]



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Sarah Cowan  
Legal Assistant