

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

In the Matter of the Application for a)	
Kansas Nonresident Insurance Producer’s)	
License of KYLE NAZARIO)	Docket No. 100970
NPN #20606408)	

PROPOSED DEFAULT ORDER
(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, the Commissioner proposes to find facts and affirm the denial of the application of Kyle Nazario (“Applicant”) for a Kansas nonresident insurance producer’s license by Default Order, as provided by K.S.A. 77-520.

Findings of Fact

1. On June 6, 2023, Applicant applied for a Kansas nonresident individual insurance producer license.
2. On July 6, 2023, the Kansas Insurance Department (“Department”) staff notified Applicant by letter that the application was denied based K.S.A. 40-4909(b).
3. On July 24, 2023, Applicant filed a timely request for a hearing.
4. On July 25, 2023, a Notice of Prehearing Conference scheduling the prehearing conference for August 29, 2023, was sent to Applicant via United States Postal Service and email. Enclosed with the Notice of Prehearing Conference was a Prehearing Questionnaire.
5. As stated in the Notice of Prehearing Conference, Applicant’s Prehearing Questionnaire was due to the Department on August 22, 2023. The Notice of Prehearing Conference advised that failure to submit the completed Prehearing Questionnaire to the Department by August 22, 2023, may result in a default ruling.

Questionnaire and Notice of Cancellation of Prehearing Conference, and that a Proposed Default Order should be served in accordance with K.S.A. 77-520.

IT IS THEREFORE ORDERED THAT THE APPLICANT MUST SUBMIT A WRITTEN REQUEST TO VACATE THIS PROPOSED DEFAULT ORDER WITHIN SEVEN (7) DAYS OF THE DATE OF THIS PROPOSED DEFAULT ORDER (PLUS THREE [3] DAYS FOR SERVICE BY MAIL PURSUANT TO K.S.A. 77-531). If a written request to vacate is not timely received, the Applicant's proceeding will be DISMISSED.

IT IS FURTHER ORDERED THAT Applicant's failure to file a timely written motion to vacate WILL RESULT IN THIS ORDER BECOMING EFFECTIVE AS A FINAL ORDER and Applicant's application for a Kansas nonresident insurance producer's license will be DENIED.

IT IS SO ORDERED THIS 14th DAY OF SEPTEMBER 2023, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



VICKI SCHMIDT
COMMISSIONER OF INSURANCE

BY: Barbara W. Rankin
Barbara W. Rankin
Assistant Commissioner
Presiding Officer

NOTICE OF RIGHT TO FILE A MOTION TO VACATE

Pursuant to K.S.A. 77-520(b), Applicant is entitled file a Motion to Vacate. A Motion to Vacate must be filed within seven (7) days of service of this Proposed Default Order (plus three [3] days for service by mail pursuant to K.S.A. 77-531).

In the event Applicant files a Motion to Vacate pursuant to K.S.A 77-520(b), the Agency Officer to be served on behalf of the Kansas Insurance Department is:

Kimberley Davenport Megrail, Senior Attorney
Kansas Insurance Department
1300 SW Arrowhead Road
Topeka, KS 66604
kim.davenportmegrail@ks.gov

NOTICE OF RIGHT TO JUDICIAL REVIEW

Pursuant to K.S.A. 77-601 through K.S.A. 77-631, Applicant is entitled to judicial review, if this Proposed Default Order becomes a Final Order. The petition for judicial review must be filed within thirty (30) days of service of the date the Proposed Default Order becomes a Final Order (plus three [3] days for service by mail pursuant to K.S.A. 77-531). In the event Applicant files a petition for judicial review pursuant to K.S.A. 77-613(e), the Agency Officer to be served on behalf of the Kansas Insurance Department is:

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

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she served a true and correct copy of the above and foregoing PROPOSED DEFAULT ORDER on this 11th day of September 2023, by causing the same to be electronically mailed and placed in the United States Mail, first class postage prepaid addressed to the following:

Kyle Nazario
228 Vernis Avenue
Jacksonville, FL 32218
Kyle_Nazario@yahoo.com
904-735-3252
Applicant

And hand-delivered to the following:

Kimberley Davenport Megrail
Senior Attorney
Kansas Insurance Department
1300 SW Arrowhead Road
Topeka, KS 66604
Counsel for the Kansas Insurance Department



Mindy Forrer
Legal Assistant