

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

In the Matter of the Application for a)	
Kansas Resident Insurance Agent's)	Docket No. 2773-L
License of KEVIN E. CHOW)	

CONSENT ORDER

Kevin E. Chow ("Chow") wishes to resolve this matter without formal adjudicative proceedings by entering into this consent order. The Commissioner of Insurance ("Commissioner") hereby makes the following findings of fact, conclusions of law, and order, to-wit:

Findings of Fact

1. Records maintained by the Kansas Insurance Department ("KID") indicate that Chow is a resident of the State of Kansas, has a current mailing address of 835 Parallel Avenue, Kansas City, Kansas 66101, and filed an application for a Kansas resident insurance agent's license which was denied.

2. The Commissioner has jurisdiction over the subject matter of this proceeding, and this proceeding is held in the public interest.

3. On September 9, 1999, KID received Chow's application and materials for a Kansas resident insurance agent's license.

4. On the Application for Individual Kansas Resident/Nonresident License, Chow answered "No" to Question D which asks, "Have you ever been convicted of or pled nolo contendere (no contest) to any misdemeanor or felony or currently have pending misdemeanor or felony charges filed against you?"

5. Information submitted to KID and its subsequent investigation indicated that on May 29, 1992, Chow was convicted of robbery, a class C felony and on July 16, 1992, Chow was convicted of giving a worthless check, a class A misdemeanor in Wyandotte County, Kansas which he did not disclose.

6. On September 13, 1999, KID sent a letter to Chow stating that his application for a Kansas resident insurance agent's license was denied because he failed to disclose the two convictions of robbery and giving a worthless check.

7. On September 16, 1999, Chow sent a letter to KID requesting a hearing on the denial of his application for a Kansas resident insurance agent's license.

8. On October 8, 1999, a hearing was held at KID wherein evidence as stated in paragraphs 3 through 7 was presented against Chow.

9. Chow testified that he filled out an application to be employed at Lockton Companies, Inc ("Lockton"). A questions within the application was whether he had been convicted of a crime within the last seven (7) years. Chow answered "No." Someone from Lockton then filled out the Application for Individual Kansas Resident/Nonresident License for Chow. Based on his answer of not being convicted within the last seven (7) years, the Lockton employee answered "No" to Chow ever being convicted of a misdemeanor or felony on KID's application. Chow testified it was his signature on the application, however, he did not read it before he signed it. He testified he had no intention of misleading KID; that whenever he has been asked a question about being convicted of a crime, he has always answered truthfully, "Yes."

10. Chow also had two individuals testify as to his rehabilitation since his convictions and subsequent incarceration. He also introduced several letters of

recommendations from his current employer, previous employer and co-workers as to his good business reputation as well as a bank statement showing the balance in his account and activity in that account.

11. Based on Chow's testimony, his witnesses' testimony, his written recommendations and his demeanor at the hearing, KID reconsidered its denial and approved Chow's application for Kansas resident insurance agent's license.

Conclusions of Law

12. K.S.A. 1998 Supp. 40-240 provides, in relevant part:

“(a) Any person desiring as agent to engage in the insurance business...shall establish:...

(2) that the applicant is of good business reputation and is worthy of a license.”

13. Based upon the information contained in paragraphs 3 through 6 above, it appears that sufficient evidence exists for the denial of Kevin E. Chow's application for an insurance agent's license pursuant to K.S.A. 1998 Supp. 40-240, in accordance with the procedures set forth in the Kansas Administrative Procedure Act, K.S.A. 77-501, et seq., as amended.

14. Kevin E. Chow admits to the allegations set forth herein this order as described above.

15. For the purposes of this Consent Order, Kevin E. Chow waives the right to a formal adjudicative proceeding and notice thereof and voluntarily consents to the following order of the Commissioner of Insurance.

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

1. Kevin E. Chow will be issued a Kansas resident insurance agent's license upon the receipt of this signed Consent Order.

**IT IS ORDERED THIS 16th DAY OF NOVEMBER 1999 IN THE CITY OF
TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**



/s/ Kathleen Sebelius _____
Kathleen Sebelius
Commissioner of Insurance

BY:

/s/ Kathy Greenlee _____
Kathy Greenlee
General Counsel

/s/ Kevin E. Chow _____
Kevin E. Chow

APPROVED AND SUBMITTED BY:

/s/ JaLynn Copp _____
JaLynn Copp
Attorney for Petitioner
Kansas Insurance Department