

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

In the Matter of the Application for a            )  
Kansas Resident Insurance Agent’s            )  
License of TINA M. TUTTLE                    )            Docket No. 2771-CO

**CONSENT ORDER**

Tina M. Tuttle (“Tuttle”) 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 Tuttle is a resident of the State of Kansas, has a current mailing address of 509 South Spruce, Greensburg, Kansas 67054, 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 June 9, 1999, KID received Tuttle’s application and materials for a Kansas resident insurance agent’s license.
4. On the NAIC Midwest Zone Uniform Application for Individual Resident/Nonresident License, Tuttle answered “No” to Question C, 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. On the Kansas Specific Application, Tuttle answered “No” to Question F which asks, “Have you been convicted of, or pleaded guilty or nolo contendere, to any misdemeanor or felony?”

6. Information submitted to the Department and its subsequent investigation indicate that on or about June 1, 1997, Tuttle was convicted of giving a worthless check which she did not disclose.

7. On June 29, 1999, KID sent a letter to Tuttle informing her that in light of the nondisclosure of the worthless check conviction, she had failed to establish she was of good business reputation and worthy of a license and her application for an agents license was denied.

8. On July 12, 1999, KID received a letter from Tuttle requesting a reconsideration of the decision and in support of the request she enclosed the order terminating her probation for the worthless check conviction and a letter of recommendation from Thomas V. Corns, the President of the Greensburg State Bank, indicating they have had no problems with her accounts.

### **Conclusions of Law**

9. 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.

10. Based upon the information contained in paragraphs 3 through 6 above, it appears that sufficient evidence exists for the denial of Tina M. Tuttle’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.

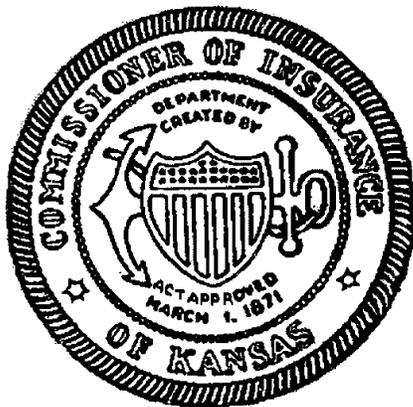
11. Tina M. Tuttle admits to the allegations set forth herein this order as described above.

12. For the purposes of this Consent Order, Tina M. Tuttle 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. Due to the order terminating probation and letter of recommendation from Thomas V. Corns, Tina M. Tuttle will be issued a Kansas resident insurance agent's license upon the receipt of this signed Consent Order.

**IT IS ORDERED THIS 25th DAY OF AUGUST, 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/ Tina M. Tuttle \_\_\_\_\_  
Tina M. Tuttle

APPROVED AND SUBMITTED BY:

/s/ JaLynn Copp \_\_\_\_\_  
JaLynn Copp  
Attorney for Petitioner  
Kansas Insurance Department