

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

**FINAL ORDER**

Effective: 03-1-03

In the Matter of the Kansas Resident                    )  
Insurance Agent's License of                                )  
JAIMIE MINNISS    )     Docket No.   3123-SO

**SUMMARY ORDER**  
**(Pursuant to K.S.A. 2001 Supp. 40-4909 and K.S.A. 77-537)**

Pursuant to authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 2001 Supp. 40-4909, the Commissioner hereby revokes the resident agent's license of Jaimie Minniss ("Minniss") by way of Summary Order as provided by K.S.A. 77-537.

**Findings of Fact**

The Commissioner has been shown the following facts:

1. Records maintained by the Kansas Insurance Department ("KID") indicate that Minniss is licensed as a resident agent to transact the business of insurance in the State of Kansas. KID records further indicate a legal mailing address of 1700 Amhurst, Topeka, KS 66614.
2. By letter dated August 30, 2001, American Family Insurance Group ("American Family") advised KID that Minniss was terminated after the company "found numerous cases of mishandling of premiums collected by her and not submitted to the company."
3. Subsequent correspondence from American Family and further investigation by KID revealed some fifty (50) separate instances and resulting loss to the company of \$21,524.12.
4. Minniss has failed or refused to respond to demands from American Family and inquiries by KID investigators.

### **Conclusions of Law**

5. K.S.A. 2001 Supp. 40-4909(a) provides, in relevant part:

“The commissioner may suspend, revoke or refuse renewal of any license issued under this act if the commissioner finds that the applicant or license holder has . . . (4) Improperly withheld, misappropriated or converted any moneys or properties received in the course of doing insurance business. . .

[or] (8) 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. 2001 Supp. 40-4909(a).

6. The Commissioner may revoke any license issued under the Insurance Agents Licensing Act if the Commissioner finds that the insurable interests of the public are not properly served under such license. K.S.A. 2001 Supp. 40-4909(b).

7. Based upon the information contained in paragraphs 2 through 4 above, the Commissioner finds that Minniss has improperly withheld, misappropriated or converted premium moneys received in the course of doing insurance business and has used a dishonest practice and demonstrated untrustworthiness and financial irresponsibility in the conduct of business in this state in violation of K.S.A. 2001 Supp. 40-4909(a)(4) and (a)(8).

8. Moreover, Minniss’ license should be revoked pursuant to K.S.A. 2001 Supp. 40-4909(b) for the protection of the insurable interests of the public.

9. Accordingly, the Commissioner finds that sufficient grounds exist for the revocation of the resident insurance agent’s license of Jamie Minniss.

10. Based on the facts and circumstances set forth herein, it appears that the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings does not violate any provision of the

law and the protection of the public interest does not require the KID to give notice and opportunity to participate to persons other than Jamie Minniss

**IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT** the Kansas resident insurance agent's license of Jamie Minniss is hereby **REVOKED**.

**Notice and Opportunity for Hearing**

Jamie Minniss, within fifteen (15) days of service of this Summary Order, may file with the KID written request for a 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:

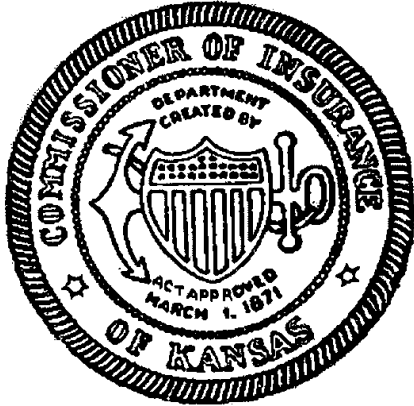
John W. Campbell  
General Counsel  
Kansas Insurance Department  
420 S.W. 9<sup>th</sup> Street  
Topeka, KS 66612

Any costs incurred as a result of conducting any administrative hearing shall be assessed against the agent who is the subject of the hearing as provided by L. 2002, Ch. 158, Sec. 21(f). Costs shall include witness fees, mileage allowances, any costs associated with the 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-day period for requesting a hearing.

The person designated pursuant to K.S.A. 77-613(e) to receive service of a petition for judicial review on behalf of the KID is John W. Campbell, General Counsel, Kansas Insurance Department, 420 S.W. 9<sup>th</sup> St., Topeka, KS 66612.

IT IS SO ORDERED THIS 11th DAY OF FEBRUARY 2003 IN THE CITY OF  
TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



/s/ Sandy Praeger  
Sandy Praeger  
Commissioner of Insurance

BY:

/s/ John W Campbell  
John W. Campbell  
General Counsel

**Certificate of Service**

The undersigned hereby certifies that he served the above and foregoing Summary Order on this 11<sup>th</sup> day of February, 2003, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Jamie Minniss  
1700 Amhurst  
Topeka, KS 66614

/s/ John W. Campbell  
John W. Campbell