

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

FINAL ORDER

Effective: 09/26/03

In the Matter of the Kansas Nonresident)
Insurance Agent's License of)
LANCE E. OLSEN) Docket No. 3207-SO

SUMMARY ORDER

(Pursuant to K.S.A. 2002 Supp. 40-4909 and K.S.A. 77-537)

Pursuant to authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 2002 Supp. 40-4909, the Commissioner hereby revokes the nonresident agent's license of Lance E. Olsen ("Olsen") 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 Olsen is licensed as a nonresident agent to transact the business of insurance in the State of Kansas, and has been so licensed since November 8, 2002. KID records further indicate a legal and mailing address of 2500 E. Imperial Hwy, 201-192, Brea, CA 92821.

2. The National Association of Insurance Commissioners ("NAIC") Regulatory Information Retrieval System ("RIRS") database reflects the following information: Olsen's California insurance agent's license was revoked, effective January 10, 2003, by default as a result of a criminal conviction and misstatement on the license application; the default was set aside and the license reinstated on April 15, 2003; and probation was imposed and a penalty assessed effective July 8, 2003.

3. To date, the KID has not received notice from Olsen of the actions.

Applicable Law

4. K.S.A. 2002 Supp. 40-4909(a) provides, in relevant part:

“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 . . . (2) Violated: (A) Any provision of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or any rule and regulation promulgated thereunder . . . (9) Had an insurance agent license, or its equivalent, denied, suspended or revoked in any other state, district or territory.” K.S.A. 2002 Supp. 40-4909(a).

5. Administrative regulations require that a person licensed in this state as an insurance agent shall, within 30 days of the occurrence, report enumerated events to the Commissioner. K.A.R. § 40-7-9. Among these events are disciplinary action against the agent’s license by the insurance regulatory official of any other state or territory. K.A.R. § 40-7-9(a).

6. K.S.A. 2002 Supp. 40-4906 and 4908 provide for issuance of a nonresident agent’s license in reliance upon the agent’s valid license in the agent’s home state.

7. 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. 2002 Supp. 40-4909(b).

Conclusions of Law

8. The Commissioner has jurisdiction over Olsen as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

9. The Commissioner finds that Olsen’s Kansas license is based on reciprocity with his home state of California, and his insurance agent’s license in California is no longer in good standing.

10. The Commissioner further concludes that Olsen violated the administrative regulation requiring a licensed agent to report disciplinary action by other states within 30 days.

11. Accordingly, the Commissioner concludes that sufficient grounds exist for the revocation of the insurance agent’s license of Lance E. Olsen pursuant to K.S.A. 2002 Supp. 40-4909(a).

12. Moreover, the Commissioner finds that the insurable interests of the public are not properly served under Olsen's insurance agent's license, and the license should be revoked pursuant to K.S.A. 2002 Supp. 40-4909(b).

13. 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 Lance E. Olsen.

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT the Kansas nonresident insurance agent's license of Lance E. Olsen is hereby REVOKED.

Notice and Opportunity for Hearing

Lance E. Olsen, 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. 9th Street, Topeka, KS 66612.

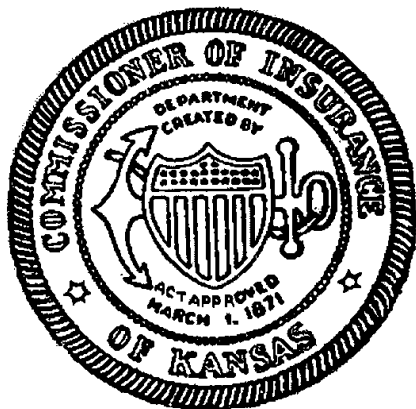
Any costs incurred as a result of conducting any administrative hearing shall be assessed against the agent who is the subject of the hearing as provided by K.S.A. 40-4909(f). Costs shall include witness fees, mileage allowances, any costs associated with the reproduction of documents which become part 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 Final Order will constitute final agency action in this matter.

In the event the Petitioner files a petition for judicial review, 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 KID is John W. Campbell, General Counsel, Kansas Insurance Department, 420 S.W. 9th St., Topeka, KS 66612-1678.

IT IS SO ORDERED THIS 8th DAY OF SEPTEMBER, 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 she served the above and foregoing Summary Order on this 8th day of September, 2003, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Lance E. Olsen
2500 E. Imperial Hwy, 201-192
Brea, CA 92821

/s/ Brenda J. Clary
Brenda J. Clary
Staff Attorney