BEFORE THE COMMISSIONER OF INSURANCE OF THE STATE OF KANSAS

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In the Matter of the Kansas Non-Resident Insurance Agent's License of RANDALL POE

Docket No. 3616-SO

SUMMARY ORDER (Pursuant to K.S.A. 2005 Supp. 40-4909, and K.S.A. 77-537)

Pursuant to authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 2005 Supp. 40-4909(a) , the Commissioner hereby revokes the non resident insurance agent's license of Randall Poe, by way of Summary Order as provided by K.S.A. 77-537

Findings of Fact

The Commissioner has been shown the following:

1. Records maintained by the Kansas Insurance Department ("KID") indicate that Respondent, Randall Poe is licensed as a non-resident agent to transact the business of insurance in Kansas.

2. KID records further indicate a legal address for respondent as 5827 state Hwy P, Albany, MO 64402 and mailing address as 4700 W 50th Pl. Roeland Park, KS 66205.

3. In 2006, KID received a complaint from compliance representative reference Randall Poe's forging the signature of a customer on three annuity applications.

4. KID Investigator Randy Adair handled the referral and KID investigation.

5. In a telephonic conversation with Investigator Adair, Poe admitted that he had forged the signatures of one **conversation** and that he did this to collect commissions on annuities he purchased with **conversation** money.

FINAL ORDER Effective: 03-02-07

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6. In the course of his investigation, and as noted in his investigative report, Investigator Adair learned that **Example 1** had her money in CDs but Poe's forgeries were calculated to purchase annuities. The purchase of annuities was done without **Example 1** knowledge and resulted in her money being encumbered so that she could not withdraw funds she needed.

Conclusions of Law

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

8. The Commissioner finds from the foregoing findings of fact that the respondent used fraudulent, coercive or dishonest practice or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state

9. The Commissioner finds from the foregoing findings of fact that respondent Randall Poe forged another person's name to an application for insurance or to any document related to an insurance transaction. Additionally, the commissioner finds from the foregoing facts that the insurable interest of the public are not properly served under respondent's license.

Applicable Law

10. K.S.A. 2005 Supp. 40-4909a provides in relevant part: ". . . the commissioner may: . . . revoke . . any license issued under this act if the commissioner finds that the . . license holder has: (8). Used any fraudulent, coercive or dishonest practice . . . or demonstrated untrustworthiness in the conduct of business in this state.; (10) Forged another person's name to an application for insurance or to any document related to an insurance transaction."

11. K.S.A. 2005 Supp. 40-4909(b) permits the revocation of any license issued under this act if the commissioner finds that the insurable interests of the public are not properly served under such license.

12. 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 law and the protection of the public interest does not require the KID to give notice and opportunity to participate to persons other than the respondent, Randall Poe.

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE

THAT the non-resident insurance agent's license of Randall Poe is hereby REVOKED, effective the effective date of this order.

IT IS FURTHER ORDERED that respondent Randall Poe shall CEASE and DESIST from the sale, solicitation or negotiation of insurance and/or receiving compensation deriving from the sale, solicitation or negotiation of insurance conducted after the effective date of this order.



__/s/ Sandy Praeger_____ Sandy Praeger Commissioner of Insurance BY: __/s/ John W. Campbell_____ John W. Campbell

General Counsel

BEFORE THE COMMISSIONER OF INSURANCE OF THE STATE OF KANSAS

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In the Matter of the Kansas Non-Resident Insurance Agent's License of RANDALL POE

Docket No. 3616-SO

NOTICE OF SUMMARY ORDER

Notice is hereby given that the attached Summary Order will become effective fifteen (15) days after service of this Notice unless Respondent files with the Kansas insurance Department ("KID") a written request for a hearing as provided by K.S.A. 77-542. In the event a hearing is requested, the attached Summary Order will serve to give notice of the allegations upon which KID bases its proposed action.

A request for hearing 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 an administrative hearing may be assessed against an agent who is the subject of the hearing as provided by K.S.A. 40-4909(f).

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.

Dated this_17th_ of ____February_____ 2007.

_/s/ Ralph J. DeZago_____ Ralph J. De Zago Staff Attorney

Certificate of Service

The undersigned hereby certifies that a true and correct copy of the above and foregoing **Summary Order and Notice of Summary Order** on this _17th_ day of February, 2007, by placing the same in the United States Mail, first class postage prepaid, addressed to the following:

Randall Poe 5827 State Hwy P Albany, MO 64402

Randall Poe 4700 W 50th Pl. Roeland Park, KS 66205

> _/s/ Ralph DeZago_____ Ralph DeZago Staff Attorney