

FILED

JAN 06 2016

COMMISSION OF INSURANCE
INSURANCE DIVISION OF IOWA

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)	
)	Division No. 89034
KENNETH B. NEWBURN)	
NPN 2183087)	ORDER REINSTATING LICENSE
)	AFTER SUSPENSION
Respondent.)	

Pursuant to Iowa Code chapter 522B and 191 IAC 10.10, this matter comes before the Commissioner of Insurance upon an application by Kenneth B. Newburn for the reinstatement of his Iowa insurance producer's license.

I. PARTIES AND JURISDICTION

1. The Commissioner of Insurance, Nick Gerhart, directly and through his designees, administers and enforces the provisions of Iowa Code § 505.8 and the Iowa Licensing of Insurance Producers Act, Chapter 522B.
2. Kenneth B. Newburn ("Newburn") is an individual with a last known mailing address of 2060 Florence Blvd. #2, Omaha, NE 68110.
3. Newburn has filed an application with the Iowa Insurance Division ("Division") for reinstatement of his suspended license and the Commissioner is authorized to issue this Order pursuant to 191 IAC 10.10.

II. FINDINGS OF FACT

4. Newburn is licensed as a resident insurance producer in the State of Nebraska, and a nonresident insurance producer in the State of Iowa.
5. Newburn submitted an application for individual insurance producer license on July 17, 2015 in which the Commissioner was designated as agent for service of process.

6. On October 15, 2015, the Division sent by United States mail notification of the intent to issue a suspension of his license if the Iowa Department of Revenue (“IDR”) did not withdraw the Certificate of Noncompliance within 60 days.

7. On December 16, 2015, a suspension order was issued by the Division immediately suspending Newburn’s insurance producer’s license (“Suspension Order”). Newburn was also notified that the Division’s reinstatement of the producer license was contingent upon IDR withdrawing the Certificate of Noncompliance.

8. IDR withdrew the Certificate of Noncompliance on December 21, 2015.

9. On December 31, 2015, Newburn filed an application for reinstatement after suspension of his insurance producer license as required by 191 IAC 10.10.

10. As Newburn has complied with the suspension and filed the necessary reinstatement application, an order of reinstatement of his Iowa insurance producer’s license will be issued.

III. CONCLUSIONS OF LAW

1. Iowa Code §522B.11(1) authorizes a range of disciplinary actions for insurance producers, including suspensions, but the imposition and duration of suspensions, is within the discretion of the Commissioner.

2. Newburn is in compliance with the conditions of the Suspension Order issued on December 16, 2015 and has filed the required application of reinstatement. An order of reinstatement should be issued pursuant to 191 IAC 10.10.

IV. ORDERS

IT IS HEREBY ORDERED that:

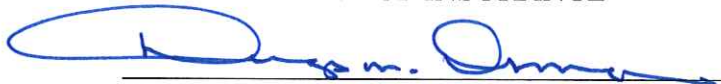
A. The Suspension Order issued on December 16, 2015 is hereby vacated and the Iowa nonresident insurance producer license of Newburn is reinstated; and

B. Newburn shall immediately be permitted to transact and participate in the business of insurance in Iowa.

IT IS FURTHER ORDERED that, pursuant to Iowa Code § 505.8(10), the one hundred dollar (\$100) payment made with the application for reinstatement shall be paid to the Iowa Insurance Division settlement fund established for recovery of expenses and costs related to investigations and other proceedings.

Dated this 6th day of January, 2016.

COMMISSIONER OF INSURANCE



Douglas M. Ommen
Deputy Commissioner



Dustin J. DeGroot
Compliance Attorney

1/6/2016
Date

AFFIDAVIT OF SERVICE

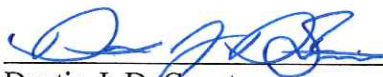
County of Polk)
)
State of Iowa)

The undersigned affiant certifies under penalty of perjury that he has entering the above order into the records of the Iowa Commissioner of Insurance and on the 7th day of January, 2016, the foregoing order was delivered to the United States Postal Service, postage prepaid, for first class mail and also for certified mail service, return receipt requested; to:

Kenneth B. Newburn
2060 Florence Blvd. #2
Omaha, NE 68110

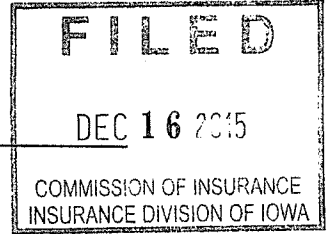
I further certify that the foregoing order was sent by email to:

Kenneth.Newburn@gmail.com



Dustin J. DeGroot
Iowa Insurance Division

BEFORE THE IOWA INSURANCE COMMISSIONER



IN THE MATTER OF)	
)	
KENNETH B. NEWBURN)	Division No. 89034
NPN # 2183087)	
)	ORDER FOR SUSPENSION
Respondent.)	
)	

This matter comes before the Iowa Insurance Commissioner upon submission of a Certificate of Noncompliance from the Iowa Department of Revenue (“Revenue”). **Kenneth B. Newburn** (“Respondent”) submitted an application for insurance producer licensure in which the commissioner was designated as Respondent’s agent for service of process. Under Iowa Code section 272D.8 (2015) and Iowa Administrative Code, rule 191-10.23, the commissioner was required to issue a notice to Respondent advising that the Certificate of Noncompliance was received and that Respondent’s Iowa insurance producer license would be suspended in 60 days unless Revenue withdrew the Certificate of Noncompliance within those 60 days. The Iowa Insurance Division’s letters notifying the Respondent of the intended suspension were sent on October 15, 2015. Therefore, the sixty-day notice period has now passed and Revenue has not withdrawn the Certificate of Noncompliance. The commissioner has authority to order the suspension of the insurance producer license of Respondent pursuant to Iowa Code section 272D.8 (2015) and Iowa Administrative Code, rule 191-10.23.

IT IS THEREFORE ORDERED that:

The Iowa insurance producer license of **Kenneth B. Newburn** is suspended as of the date of this Order.

Dated this 16th day of December, 2015.

COMMISSIONER OF INSURANCE



Douglas M. Ommen
Deputy Commissioner



Dustin DeGroot

12/16/15
Date

AFFIDAVIT OF SERVICE

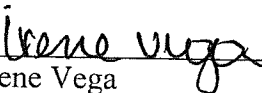
County of Polk)
)
State of Iowa)

The undersigned affiant certifies under penalty of perjury that she has entering the above order into the records of the Iowa Commissioner of Insurance and on the 16th day of December, 2015, the foregoing order was delivered to the United States Postal Service, postage prepaid, for first class mail and also for certified mail service, return receipt requested; to:

Kenneth B. Newburn
4010 S. 148th Street
Omaha NE, 68137

I further certify that the foregoing order was sent by email to:

kbnewburn@aaane.com



Irene Vega
Iowa Insurance Division

CC:
Iowa Department of
Revenue
Attn: License Sanction
PO Box 10330
Des Moines, IA 50306-
0330

LOCAL MAIL
Iowa Insurance Division
Irene Vega

By RESTRICTED &
FIRST CLASS MAIL:
Kenneth B. Newburn
4010 S. 148th Street
Omaha NE, 68137