



BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)	
)	Division No. 89551
Chad C. Arey)	
NPN 7897628)	ORDER REINSTATING LICENSE
DOB 02/24/XXXX)	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 Chad C. Arey 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. Chad C. Arey (“Arey”) is an individual with a last known mailing address of 1521 E. 22nd St., Des Moines, IA 50317.

3. Arey 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. Arey is licensed as a resident insurance producer in the State of Iowa.

5. Arey submitted an application for individual insurance producer license on October 6, 2003, in which the Commissioner was designated as agent for service of process.

6. On December 11, 2015, the Division mailed Arey notification of the intent to issue a suspension of his license if the Department of Human Services (“DHS”) did not withdraw the Certificate of Noncompliance within 60 days.

7. On March 21, 2016, a suspension order was issued by the Division immediately suspending Arey’s insurance producer’s license (“Suspension Order”). Arey was also notified that the Division’s reinstatement of the producer license was contingent upon DHS withdrawing the Certificate of Noncompliance.

8. DHS withdrew the Certificate of Noncompliance on April 26, 2016.

9. On April 26, 2016, Arey filed an application for reinstatement after suspension of his insurance producer license as required by 191 IAC 10.10.

10. As Arey 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. Arey is in compliance with the conditions of the Suspension Order issued on March 21, 2016 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 THEREFORE ORDERED that:

A. The Suspension Order issued on March 21, 2016 is hereby vacated and the Iowa resident insurance producer license of Arey is reinstated; and

B. Arey 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 2nd day of May, 2016.



Nick Gerhart
Iowa Insurance Commissioner



Dustin J. DeGroot
Compliance Attorney



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 2nd day of May, 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:

Chad C. Arey
1521 E. 22nd St.
Des Moines, IA 50317



Dustin J. DeGroot
Iowa Insurance Division

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)

CHAD C. AREY)
NPN 7897628)

Respondent.)

Division No. 89551

ORDER FOR SUSPENSION

FILED

MAR 21 2016

COMMISSION OF INSURANCE
INSURANCE DIVISION OF IOWA

This matter comes before the Iowa Insurance Commissioner pursuant to Iowa Code § 252J.9 and IAC 191– 10.21(3).

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. Chad C. Arey (“Arey”) is an individual with a last known mailing address of 1521 E. 22nd St., Des Moines, IA 50317 and a national producer number of 7897628.

II. PROCEDURAL BACKGROUND

3. On January 19, 2016, the Iowa Insurance Division (“Division”) issued an order immediately suspending Arey’s insurance producer license for noncompliance with the Iowa Department of Human Services.

4. On January 7, 2016 Arey filed an application in district court for judicial review of the decision of the Child Support Recovery Unit, pursuant to Iowa Code § 252J.9.

5. The Division received notice of the application for judicial review on January 22, 2016.

6. On January 22, 2016, the Division issued an order vacating the order for suspension, and reinstating Arey's insurance producer license.

7. On March 10, 2016, the Iowa District Court of Polk County issued an order denying the petition for review. *Chad Arey v. Iowa Dept. of Human Services*, Case No. CVCV051095 (*slip opinion*).

III. FINDINGS OF FACT

8. Arey is licensed as a resident insurance producer in the State of Iowa.

9. Arey is an individual with the birth month and date of February 24.

10. Arey submitted an application for individual insurance producer license on October 6, 2003 in which the Commissioner was designated as agent for service of process.

11. On December 11, 2015 the Division notified Arey that it had received a Certificate of Noncompliance ("Certificate") from the Iowa Department of Human Services ("DHS") and that his individual insurance producer license would be suspended in 30 days if the DHS did not withdraw the Certificate.

12. The 30 day notice period expired and the DHS did not withdraw the Certificate.

IV. CONCLUSIONS OF LAW

13. Under Iowa Code section 252J.8 and Iowa Administrative Code, rule 191-10.21, 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 30 days unless the DHS withdrew the Certificate of Noncompliance within those 30 days. This requirement has been met as the Iowa Insurance Division notified the Respondent of the intended suspension on December 11, 2015, the thirty-day notice period has now passed and the DHS has not withdrawn the Certificate of Noncompliance.

14. The Division's action to suspend Arey's license was stayed pending judicial

review of the Child Support Recovery Unit decision pursuant to Iowa Code § 252J.9(3). The Iowa District Court of Polk County issued an order denying the petition for review. *Chad Arey v. Iowa Dept. of Human Services*, Case No. CVCV051095 (*slip opinion*).

15. The Commissioner has authority to order the suspension of the insurance producer license of Respondent pursuant to Iowa Code section 252J.8 and Iowa Administrative Code, rule 191-10.21.

ORDERS

IT IS THEREFORE ORDERED that:

The Iowa insurance producer license of Chad C. Arey is suspended as of the date of this Order.

Dated this 21st day of March, 2016

COMMISSIONER OF INSURANCE



Douglas M. Ommen
Deputy Commissioner



Dustin J. DeGroot

3/21/2016

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 22nd day of March, 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:

Chad C. Arey
1521 E. 22nd St.
Des Moines, IA 50317



Dustin J. DeGroot
Iowa Insurance Division

CC:
Child Support Recovery
Revenue Unit
Attn: Worker ID: ES54
Case No. 207322
501 Sycamore Street – Ste
500, Waterloo, IA 50703

By CERTIFIED AND
FIRST CLASS MAIL:
Chad C. Arey
1521 E. 22nd St.
Des Moines, IA 50317



IN THE MATTER OF)	
)	
CHAD C. AREY)	Division No. 89551
NPN 7897628)	
)	ORDER VACATING SUSPENSION
Respondent.)	
)	

This matter comes before the Iowa Insurance Commissioner pursuant to Iowa Code § 252J.9 and IAC 191– 10.21(3).

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. Chad C. Arey (“Arey”) is an individual with a last known mailing address of 1521 E. 22nd St., Des Moines, IA 50317 and a national producer number of 7897628.

II. FINDINGS OF FACT

3. Arey is licensed as a resident insurance producer in the State of Iowa.
4. Arey submitted an application for individual insurance producer license on October 6, 2003 in which the Commissioner was designated as agent for service of process.
5. On December 11, 2015 the Division notified Arey that it had received a Certificate of Noncompliance (“Certificate”) from the Iowa Department of Human Services (“DHS”) and that his individual insurance producer license would be suspended in 30 days if the DHS did not withdraw the Certificate.

6. The 30 day notice period expired and the DHS did not withdraw the Certificate.

7. On January 19, 2016, the Iowa Insurance Division (“Division”) issued an order immediately suspending Arey’s insurance producer license for noncompliance with the Iowa Department of Human Services.

8. On January 7, 2016 Arey filed an application in district court for judicial review of the decision of the Child Support Recovery Unit, pursuant to Iowa Code § 252J.9.

7. The Division received notice of the application for judicial review on January 22, 2016.

III. CONCLUSIONS OF LAW

9. Arey’s filing of an application for judicial review of the decision of the Child Support Recovery Unit shall immediately stay the action of the Division to suspend Arey’s license pursuant to Iowa Code § 252J.9(3).

IV. ORDERS

IT IS THEREFORE ORDERED that:

A. The Suspension Order issued on January 19, 2016 is hereby vacated and the Iowa resident insurance producer license of Arey is reinstated; and

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

Dated this 22nd Day of January, 2016

COMMISSIONER OF INSURANCE



Douglas M. Ommen
Deputy Commissioner


Dustin J. DeGroot
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 25th 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:

Chad C. Arey
1521 E. 22nd St.
Des Moines, IA 50317



Dustin J. DeGroot
Iowa Insurance Division

CC:
Child Support Recovery
Revenue Unit
Attn: Worker ID: ES54
Case No. 207322
501 Sycamore Street – Ste
500, Waterloo, IA 50703

By CERTIFIED AND
FIRST CLASS MAIL:
Chad C. Arey
1521 E. 22nd St.
Des Moines, IA 50317

BEFORE THE IOWA INSURANCE COMMISSIONER

FILED
JAN 19 2016
COMMISSION OF INSURANCE
INSURANCE DIVISION OF IOWA

IN THE MATTER OF)	
)	
CHAD C. AREY)	Division No. 89551
NPN 7897628)	
)	ORDER FOR SUSPENSION
Respondent.)	
)	

This matter comes before the Iowa Insurance Commissioner upon submission of a Certificate of Noncompliance from the Iowa Department of Human Services (“DHS”). Under Iowa Code section 252J.8 and Iowa Administrative Code, rule 191-10.21, the Iowa Insurance Commissioner was required to issue a notice to **Chad C. Arey** (“Respondent”) advising the Respondent that the Certificate of Noncompliance was received and that the Respondent’s Iowa insurance producer license would be suspended in 30 days unless DHS withdrew the Certificate of Noncompliance within those 30 days. The Iowa Insurance Division’s letters notifying the Respondent of the intended suspension were sent on December 11, 2015. Therefore, the thirty-day notice period has now passed and DHS has not withdrawn the Certificate of Noncompliance. The Iowa Insurance Commissioner has authority to order the suspension of the insurance producer license of the Respondent pursuant to Iowa Code section 252J.8 and Iowa Administrative Code, rule 191-10.21.

IT IS THEREFORE ORDERED that:

The Iowa insurance producer license of **Chad C. Arey** is suspended as of the date of this Order.

Dated this 19th day of January, 2016.

COMMISSIONER OF INSURANCE



Douglas M. Ommen
Deputy Commissioner



Dustin J. DeGroot

1/19/2016
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 19th 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:

Chad C. Arey
1521 E. 22nd St.
Des Moines, IA 50317



Dustin J. DeGroot
Iowa Insurance Division

CC:
Child Support Recovery
Revenue Unit
Attn: Worker ID: ES54
Case No. 207322
501 Sycamore Street – Ste
500, Waterloo, IA 50703

By CERTIFIED AND
FIRST CLASS MAIL:
Chad C. Arey
1521 E. 22nd St.
Des Moines, IA 50317