

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)	
)	
BRYAN REYES)	ORDER OF SUMMARY
)	SUSPENSION and NOTICE OF
)	OPPORTUNITY FOR HEARING
National Producer License Number:)	
16016513)	
)	
)	Division Docket No.: 70932
)	

Pursuant to Iowa Code sections 17A.18A and IAC 191-3.31, this matter comes before the Commissioner of Insurance upon an application by the Iowa Insurance Division for an Order of Summary Suspension of the insurance producer license of Bryan Reyes.

PARTIES AND JURISDICTION

1. The Commissioner of Insurance, Susan E. Voss, administers and enforces the Iowa Licensing of Insurance Producers Act, Chapter 522B, pursuant to Iowa Code § 505.8 (2011).

2. Bryan Reyes ("Reyes") is an individual with a last known mailing address of 14 N 35th Street, Council Bluffs, IA 51501.

3. Reyes has engaged in acts and practices constituting violations of Iowa Code chapters 507B and 522B and any rule or order adopted or issued pursuant to Iowa Code chapters 507B and 522B and Iowa Administrative Code 191-Chapter 13. The Commissioner of Insurance is authorized to issue this Order of Summary Suspension pursuant to Iowa Code sections 17A.18A, 507B, 522B.11, IAC rule 191-3.31 and 13.8(3) and(4).

FACTUAL BACKGROUND

Reasonable evidence exists to demonstrate the following:

4. Reyes is licensed as a resident insurance producer in the State of Iowa.

5. Reyes submitted on October 26, 2010 an application to obtain written consent to work in the business of insurance with the Iowa Insurance Division pursuant to 18 U.S.C. section 1033 and Iowa Code 522B.16B.

6. Reyes was issued a Consent to Work in the Business of Insurance by the Commissioner of Insurance on December 2, 2010 that was conditioned on his working for American Income Life Insurance Company and his continued good behavior including having an affirmative duty to notify the Division of any violations of a criminal statute.

7. Reyes was arrested and charged with Driving Under the Influence in Iowa on December 3, 2010.

8. Reyes had his employment and supervisory relationship with American Income Life Insurance Company terminated due to this arrest.

9. Reyes was sent letters from the Iowa Insurance Division on January 6, 2011 and March 11, 2011 regarding these matters but has failed to respond to either letter.

VIOLATIONS OF LAW

10. The Division realleges and incorporates by reference paragraph 1-9 above as if fully set forth herein.

11. Iowa Code section 507B.4A(1) states that a person shall promptly respond to inquiries from the commissioner.

12. Iowa Code section 522B.11(1)(b) states that the commissioner may suspend or revoke an insurance producer's license for violating any insurance laws or regulation.

13. Iowa Code section 522B.11(1)(g) states that the commissioner may suspend or revoke an insurance producer's license for committing any unfair trade practice.

14. Iowa Code section 522B.11(1)(p) states that the commissioner may suspend or revoke an insurance producer's license for failing or refusing to cooperate in an investigation by the commissioner.

15. Iowa Administrative Code 191-13.8(3) states that the commissioner shall immediately terminate the consent if the commissioner determines that a prohibited person has violated the terms of the consent.

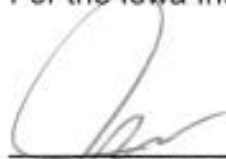
16. Iowa Administrative Code 191-13.8(4) states that the commissioner may summarily suspend the insurance producer license of a prohibited person for any actions described in Iowa Administrative Code 191-13.8(3).

THEREFORE, IT IS ORDERED THAT:

1. The Iowa resident insurance producer license of Reyes is suspended immediately;
2. Reyes shall immediately cease and desist from participating in the business of insurance in Iowa;

3. The failure of Reyes to request a hearing within 30 days of the date of this Order of Summarily Suspension shall be deemed to be a waiver of the right to a hearing and result in the entry of an Order of Revocation of Insurance Producer Registration.

For the Iowa Insurance Division,



James Mumford
First Deputy Commissioner of Insurance

4/14/2011
Date

NOTICE OF RIGHT TO REQUEST HEARING

NOTICE IS HEREBY GIVEN that Reyes or any individual representing Reyes may request a hearing in this matter. This request must be in writing and must be filed within thirty (30) calendar days of the date of this Order with John Leonhart, Attorney, Iowa Insurance Division, 330 Maple Street, Des Moines, Iowa 50319. A notice of the hearing shall be prepared and shall be given at least fifteen (15) days before the date of the hearing unless the parties agree to an earlier date. The hearing shall be held within forty-five (45) days after the date of the notice of the hearing unless extended by the presiding officer for good cause with at least fifteen days notice to the parties. The resulting hearing will be held in accordance with Iowa Code Chapter 17A (2011).

NOTICE REGARDING FAILURE TO REQUEST A HEARING

If you fail to request a hearing within thirty (30) days of the date of this Order of Summary Suspension, the Order shall be a final Order of the Commissioner of Insurance and shall be enforceable by the Commissioner of Insurance in an administrative or court proceeding.

NOTICE REGARDING EXHAUSTION OF ADMINISTRATIVE REMEDIES AND RIGHT TO SEEK JUDICIAL REVIEW

The failure to request a hearing can constitute a failure to exhaust your administrative remedies and limit the issues subject to judicial review. You may seek judicial review of this Order pursuant to Iowa Code chapter 17A after the Order becomes final. The Order becomes final thirty (30) days after it is issued if you do not timely request a contested case hearing, or following hearing if you do timely request a contested case hearing.

NOTICE OF PENALTIES FOR WILLFUL VIOLATION OF THIS ORDER

YOU ARE NOTIFIED that any person who willfully violates this order shall be deemed in contempt of the order pursuant to Iowa Code section 522B.17. The commissioner may petition the district court to hold a hearing to enforce the order as certified by the commissioner. The district court may assess a civil penalty against the person in an amount not less than three thousand dollars but not greater than ten thousand dollars per violation and may issue further orders as it deems appropriate.

SENT BY RESTRICTED CERTIFIED AND FIRST CLASS MAIL TO:

Bryan C. Reyes
14 N. 35th Street
Council Bluffs, IA 51501