

FILED

FEB 07 2014

COMMISSION OF INSURANCE
INSURANCE DIVISION OF IOWA

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF:

Jasmine Chastang

DEFAULT ORDER

DIVISION FILE NO: 81328

Now therefore, the Iowa Insurance Commissioner, being fully advised in the premises, issues the following findings of fact, conclusions of law and order of revocation.

Findings of Fact

1. On December 27, 2010, Respondent Jasmine Chastang (“Chastang”) applied for a resident producer license by submitting through the National Insurance Producer Registry a Uniform Application for Individual Insurance Producer License (“Application”).
2. In submitting the Application, Chastang designated the Insurance Commissioner as an agent for service of process.
3. Chastang initially received an insurance producer license from the State of Iowa on December 27, 2010 and was assigned national producer number 15986083. Chastang’s license was renewed on April 1, 2013.
4. As a licensed insurance producer, Chastang is required to keep her address current with the Iowa Insurance Division. Chastang’s last recorded address in his license record is 7027 FM 78, Apartment 10101, San Antonio, Texas 78244-1177.
5. Chastang was hired by Nationwide as a “NSS Retention Agent” on August 22, 2011. She was reclassified as a “Direct Retention Agent” on January 23, 2012.

6. Chastang's employment was terminated "for cause" on July 8, 2013, following an internal investigation related to her use of "Guest Express" debit cards. Guest Express cards are used to purchase meals in the cafeteria in the Nationwide office in San Antonio, Texas.

7. Nationwide's internal investigations unit found that Chastang had been applying for and using Guest Express debit cards using false names, identification information and fictitious bank account information.

8. Chastang was interviewed and rendered a recorded statement in which she admitted to applying for and using fraudulent Guest Express cards.

9. On November 19, 2013, the Division filed a statement of charges against Chastang.

10. Pursuant to Chastang's consent to services of process, the Commissioner was served with the statement of charges on November 19, 2013. The Commissioner issued a Notice of Hearing scheduling a contested case for February 25, 2014.

11. The Commissioner mailed notification of the statement of charges and the notice of hearing to the last known address provided by Chastang in her licensing record via both restricted certified mail and first class mail.

12. On January 8, 2014, the U.S. Postal Service deemed the restricted certified mail as "undeliverable."

13. The Division did not receive the first class mail returned as "unclaimed."

14. Chastang has not filed an answer, nor any other responsive pleading to the statement of charges.

15. On January 13, 2014, the Division filed a Motion for Default Decision and mailed a copy to Chastang's address of record.

16. Chastang has not filed any response to the motion for Default Decision.

Conclusions of Law

17. The Commissioner may consider a motion unresisted, if no response is timely filed. 191 IAC 3.15(2). Chastang has not filed a timely written response to the Division's motion for entry of default judgment. The motion is unresisted.

18. A party to a contested case proceeding may move for default against a party when the party fails to file a required pleading or has failed to appear after proper service. 191 IAC 3.22(2). Chastang has not filed an answer and has not resisted the Division's motion for default judgment.

19. Under Chastang's consent to service of process, Chastang was properly served as required in 191 IAC 3.5(1). As a licensed producer, Chastang is required to maintain a current address in her license record. 191 IAC 10.12(2).

20. The Division's motion for default decision should be granted.

21. Chastang used fraudulent, coercive, or dishonest practices and demonstrated incompetence, untrustworthiness or financial irresponsibility in the course of doing insurance business in violation of Iowa Code Chapter 522B.11(g) (2013).

22. The violation of Iowa Code Chapter 522B and applicable rules is grounds for revocation, suspension, censure, and/or the imposition of a civil penalty and an order requiring such person to cease and desist from the acts, methods or practices stated in the statement of charges pursuant to Iowa Code sections 522B.11, 522B.17, 507B.6 and 507B.7 (2013).

23. This hearing procedure was governed by Iowa Code sections 17A.12, 522B.11, 522B.17, 507B.6, and 507B.7; and 191 IAC Ch.3.

ORDER

IT IS HEREBY ORDERED that Jasmine Chastang is in Default.

IT IS FURTHER ORDERED that an order of revocation is entered against Jasmine Chastang and her Iowa insurance producer license is hereby REVOKED. The Iowa Insurance Division shall take any steps necessary to implement this decision.

IT IS FURTHER ORDERED that Jasmine Chastang shall cease and desist from engaging in any of the acts, methods, or practices determined as violations herein or from transacting the business of insurance in this state.

IT IS FURTHER ORDERED that Jasmine Chastang shall pay to the State of Iowa, Insurance Division, a civil penalty in the amount of \$500.

Dated this 6 day of February, 2014.

IOWA INSURANCE DIVISION



NICK GERHART
Commissioner of Insurance
Iowa Insurance Division
Two Ruan Center, 4th Floor
Des Moines, Iowa 50319-0065
Telephone: 515.281.8160
Facsimile: 515.281.3059

NOTICE

A default decision become final agency 15 days from the date the decision was mailed unless a motion to vacate the default decision is filed within that time period. 191 IAC 3.22(3). A motion to vacate must state all the facts upon which the moving party relies to establish good cause for failure to appear or participate at the contested case proceeding. Each fact must be substantiated by at least one affidavit by a person with personal knowledge of the fact, and the affidavit must be attached to the motion.