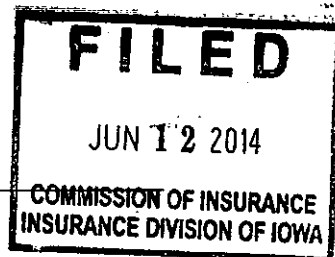


BEFORE THE IOWA INSURANCE COMMISSIONER



IN THE MATTER OF)

MIKE MIKELS,)
NPN# 10532307,)
Respondent)

DIVISION FILE NO.: 82734

**DEFAULT ORDER OF REVOCATION, CEASE AND DESIST
AND CIVIL PENALTY**

Now therefore, the Commissioner of Insurance, being fully advised in the premises, issues the following findings of fact, conclusions of law and order of revocation, cease and desist and civil penalty:

Findings of Fact

1. On November 11, 2008, Respondent Mike Mikels ("Mikels") applied for a resident insurance producer license by submitting through the National Insurance Producer Registry a Uniform Application for Individual Insurance Producer License ("Application").

2. In submitting the Application, Mikels designated the Commissioner as an agent for service of process.

3. Mikels received an insurance producer license from the State of Iowa on November 19, 2008 and was assigned national producer number 10532307.

4. Mikels was granted a "Consent to Work in the Business of Insurance," pursuant to 18 U.S.C. § 1033(e)(2) and Iowa Code § 522B.16B on December 5, 2007 ("Order of Consent"). Consent to work in the business of insurance is required from the commissioner of insurance for any individual who has been convicted of a felony

offence involving dishonesty or a breach of trust to be licensed as an insurance producer.

5. The Order of Consent required Mikels to notify the Division of any change of employers and criminal violations within thirty (30) days of their occurrence.

6. Mikels was sent a letter on December 12, 2013 requesting that he inform the Division if he had changed job duties or committed a crime since the issuance of the Order of Consent.

7. On March 7, 2014, Mikels replied to the Division's letter stating that he had changed employers and been charged with the crime of Operating While Intoxicated, first offense.

8. Mikels failed to file written notice with the Division of his change of employer or criminal charge within 30 days of their occurrence as required by the Order of Consent.

9. On April 15, 2014, the Division filed a statement of charges against Mikels.

10. On April 18, 2014, an order of summary suspension was signed by the commissioner that immediately suspended Mikels' insurance producer license.

11. On April 23, 2014, Mikels accepted the notice of hearing and statement of charges by restricted certified mail delivery from the United States Postal Service.

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

13. On June 4, 2014, the Insurance Division mailed a motion for entry of default judgment to Mikels' address of record.

14. Mikels has not filed any response to the motion for entry of default judgment.

Conclusions of Law

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

16. A party to a contested case action 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). Mikels has not filed an answer and has not resisted the Division's motion for default judgment.

17. Mikels was properly served by certified mail, return receipt requested, as required in 191 IAC 3.5(1).

18. The Division's motion for default should be granted.

19. Mikels failed to file written notice with the Division of his change of employer and criminal charge within 30 days of their occurrence as required by the Order of Consent in violation of Iowa Administrative Code 191-13.8(3).

20. The violation of Iowa Administrative Code 191-13.8(3) is grounds for revocation, suspension, censure, and/or imposition of a civil penalty and order requiring such person to cease and desist from the acts, methods or practices stated in this statement of charges pursuant to Iowa Code §§ 522B.16B and 522B.17, (2013).

21. This hearing procedure was governed by Iowa Code sections 17A.12, 522B.16B and 522B.17; and 191 IAC Ch. 3.

ORDER


IT IS HEREBY ORDERED that Mike Mikels is in Default.

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

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

Dated this 12 date of June, 2014.



NICK GERHART
Commissioner of Insurance

NOTICE

A default decision becomes final agency action 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.