



BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF )

AARON REX CULLOR )

) DIVISION FILE NO.: 85150  
)

**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. The Division issued Aaron Rex Cullor ("Cullor") a resident insurance producer license on October 22, 1997 and assigned national producer number 1438018.
2. Cullor applied for a renewal of his resident insurance producer license to the Division by submitting through the National Insurance Producer Registry a Uniform Application for Individual Insurance Producer License ("Application") on April 4, 2012. In submitting the Application, Cullor designated the Commissioner as an agent for service of process.
3. The Division renewed Cullor's resident insurance producer license on April 16, 2012.
4. As a licensed insurance producer, Cullor is required to keep his address current. Cullor's last recorded address in his license record is 2601 Crestview Drive, Bettendorf, IA 52722.

5. On June 16, 2014, the Division emailed Cullor at his email address on record with the Division requesting a written response to a customer complaint attached to the email. A written response was requested within 10 business days of the receipt of the letter, but as of the date of this filing Cullor has not responded.
6. On July 9, 2014, the Division sent a second email to Cullor requesting a written response to a customer complaint attached to the email. A written response was due by July 11, 2014, but as of the date of this filing Cullor has not responded.
7. On July 23, 2014, a Division representative contacted Cullor by phone to verify his email and home address. The Division representative explained to Cullor the need to respond to the customer complaint. Cullor replied that he had not sold a policy in two years and that the Division should contact the agent who is currently receiving the commissions on this client. Cullor was asked if he wanted to terminate his license in Iowa, since he stated that he was not engaged in the business of insurance, by contacting the Producer Licensing Bureau. Cullor stated that, as far as he was concerned, he had notified the Division representative and hung up the phone.
8. On July 25, 2014, the Division sent a certified and first class letter to Cullor requiring a written response to the customer complaint on or before August 4, 2014. Cullor was informed that a failure to respond would result in an adverse administrative action being taken against his producer license. As of the date of this filing, Cullor has not responded.
9. On August 19, 2014, the certified mailing to Cullor was returned by the U.S. Postal Service with a sticker stating "notify sender of new address" and providing an address of 2424 41<sup>st</sup> St., Apt. 23, Moline, IL 61265-5073. The certified mailing was not

claimed by Cullor. The letter to Cullor sent by first class mail has not been returned to the Division.

10. On September 11, 2014, the Division filed a statement of charges against Cullor.

11. Pursuant to Cullor's consent to service of process, the Commissioner was served with the statement of charges on September 29, 2014. The Commissioner issued a Notice of Hearing scheduling a contested case for December 2, 2014.

12. The Commissioner mailed notification of the statement of charges and the notice of hearing to the last known address provided by Cullor in his licensing record.

13. On October 6, 2014, the restricted certified mailing was returned to the Division with the notation "Forward Time Expired – Return to Sender." The letter sent by first class mail was not returned to the Division.

14. On October 10, 2014, Cullor contacted the Division by phone regarding his receipt of the notice of hearing and statement of charges.

15. On October 23, 2014, Cullor updated his mailing address with the Division by email to his new address of 2424 41<sup>st</sup> St., Apt. 23, Moline, IL 61265-5073.

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

17. On October 29, 2014, the Insurance Division mailed a motion for entry of default judgment to Cullor's address of record.

18. Cullor has not filed any response to the motion for entry of default judgment.

### Conclusions of Law

19. The Commissioner may consider a motion unresisted, if no response is timely filed. 191 IAC 3.15(2). Cullor has not filed a timely written response to the Division's motion for entry of default judgment. The motion is unresisted.
20. 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). Cullor has not filed an answer and has not resisted the Division's motion for default judgment.
21. Under Cullor's consent to service of process, Cullor was properly served as required by 191 IAC 3.5(1). As a licensed producer, Cullor is required to maintain a current address in his license record. 191 IAC 10.12(2).
22. The Division's motion for default should be granted.
23. Cullor failed or refused to cooperate in an investigation by the Division in violation of Iowa Code § 522B.11(1)(p) (2013).
24. Cullor failed or refused to respond to inquiries from the commissioner within thirty days of the receipt of the inquiry in violation of Iowa Code § 507B.4A (2013).
25. Cullor failed to notify the Division within thirty days of an address change as required by 191 IAC 10.12(2).
26. The violation of Iowa Code Chapters 507B and 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 this statement of charges pursuant to Iowa Code §§ 507B.6, 507B.7, 522B.11 and 522B.17.

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

**ORDER**

IT IS HEREBY ORDERED that Aaron Rex Cullor is in Default.

IT IS FURTHER ORDERED that an order of revocation is entered against Aaron Rex Cullor 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 Aaron Rex Cullor 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 Aaron Rex Cullor shall pay to the State of Iowa, Insurance Division, a civil penalty in the amount of \$1,000.

Dated this 12 date of November, 2014.

  
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NICK GERHART  
Commissioner of Insurance

## NOTICE

A default decision becomes final agency action 15 days from the date of 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.