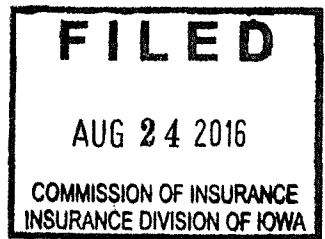


BEFORE THE IOWA INSURANCE COMMISSIONER



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IN THE MATTER OF	)	
	)	Division No. 91410
BENJAMIN R. GARDINER	)	
CRD# 5904431	)	<b>ORDER REINSTATING SECURITIES</b>
DOB 03/13/XXXX	)	<b>AGENT REGISTRATION</b>
	)	
Respondent.	)	

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Pursuant to Iowa Code chapter 502 and 191 IAC 50.54, this matter comes before the Commissioner of Insurance upon the request by Benjamin R. Gardiner (Gardiner) for reinstatement of his securities agent registration.

**I. PARTIES AND JURISDICTION**

1. The Commissioner of Insurance, Nick Gerhart, directly and through his designees, administers and enforces the provisions of the Iowa Uniform Securities Act, Iowa Code chapter 502.

2. Benjamin R. Gardiner (“Gardiner”) is an individual with a last known address of 2614 53rd St., Des Moines, Iowa, 50310 and a Central Registration Depository (CRD) number of 5904431.

3. Gardiner has requested reinstatement of his securities agent registration and the Commissioner is authorized to issue this Order pursuant to 191 IAC 50.54.

**II. FINDINGS OF FACT**

4. Gardiner is registered as a securities agent in the State of Iowa.

5. Gardiner filed a Form U4 Uniform Application for Securities Registration or Transfer through the CRD on September 12, 2011 in which the Commissioner was designated as agent for service of process.

6. On June 17, 2016, the Division mailed Gardiner notification of the intent to issue a suspension of his securities agent registration if the Iowa Department of Revenue (“IDR”) did not withdraw the Certificate of Noncompliance within 60 days.

7. On August 18, 2016, an order was issued by the Division immediately suspending Gardiner’s securities agent registration (“Suspension Order”).

8. IDR withdrew the Certificate of Noncompliance on August 19, 2016.

9. Gardiner has requested reinstatement of his securities agent registration.

10. Gardiner has complied with the Suspension Order.

### **III. CONCLUSIONS OF LAW**

11. Iowa Code chapter 502 authorizes a range of disciplinary actions for securities agents, including suspensions, but the imposition and duration of suspensions, is within the discretion of the Commissioner.

12. Gardiner is in compliance with the conditions of the Suspension Order issued on August 18, 2016. An order vacating the suspension should be issued and Gardiner’s securities agent registration should be reinstated pursuant to 191 IAC 50.54.

### **IV. ORDERS**

#### **IT IS THEREFORE ORDERED that:**

A. The Suspension Order issued on August 18, 2016 as to Gardiner’s securities agent registration is hereby vacated; and

B. Gardiner’s securities agent registration is immediately reinstated.

Dated this 24th day of August, 2016.

COMMISSIONER OF INSURANCE

Douglas M. Ommen  
Deputy Commissioner

Dustin J. DeGroot  
Compliance Attorney

8/24/16

Date

AFFIDAVIT OF SERVICE

County of Polk        )  
                                  )  
State of Iowa        )

The undersigned affiant certifies under penalty of perjury that he has entered the above order into the records of the Iowa Commissioner of Insurance and on the 25th day of August, 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:

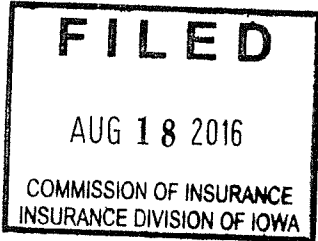
Benjamin R. Gardiner

BENJAMIN R. GARDINER  
2614 53RD ST  
BEAVERDALE, IA 50310-1625

I further certify that the foregoing order was sent by email to:

benny.gardiner@nm.com  
bennyg1321@gmail.com

Dustin J. DeGroot  
Iowa Insurance Division



BEFORE THE IOWA INSURANCE COMMISSIONER

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IN THE MATTER OF	)	
	)	
BENNY R. GARDINER	)	Division No. 91410
NPN 16192311	)	
CRD# 5904431	)	ORDER FOR SUSPENSION
DOB 3/13/XXXX	)	
	)	
Respondent.	)	
	)	

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This matter comes before the Iowa Insurance Commissioner upon submission of a Certificate of Noncompliance from the Iowa Department of Revenue (“Revenue”). **Benny R. Gardiner** (“Respondent”) submitted an application for insurance producer licensure and an application for securities agent registration in which the commissioner was designated as Respondent’s agent for service of process. Under Iowa Code section 272D.8 and Iowa Administrative Code, rules 191–10.23 and 191–50.54, 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 and securities agent registration would be suspended in 60 days unless Revenue withdrew the Certificate of Noncompliance within those 60 days. The Iowa Insurance Division’s letters notifying Respondent of the intended suspension were sent on June 17, 2016. Therefore, the sixty-day notice period has now passed and Revenue has not withdrawn the Certificate of Noncompliance. The commissioner has authority to order the suspension of the insurance producer license and securities agent registration of Respondent pursuant to Iowa Code section 272D.8 and Iowa Administrative Code, rules 191–10.23 and 191–50.54.

**IT IS THEREFORE ORDERED** that:

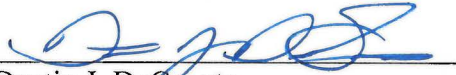
The Iowa insurance producer license and securities agent registration of **Benny R. Gardiner** are suspended as of the date of this Order.

Dated this 18th day of August, 2016.

COMMISSIONER OF INSURANCE



Douglas M. Ommen  
Deputy Commissioner



Dustin J. DeGroote  
Compliance Attorney

8/18/16  
Date

AFFIDAVIT OF SERVICE

County of Polk            )  
                                      )  
State of Iowa             )

The undersigned affiant certifies under penalty of perjury that he has entered the above order into the records of the Iowa Commissioner of Insurance and on the 19th day of August, 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:

Benny R. Gardiner  
Northwestern Mutual  
4601 Westown Pkwy. Ste. 342  
West Des Moines, IA 50266-1081

Benjamin R. Gardiner  
2614 53rd St.  
Des Moines, IA 50310

I further certify that the foregoing order was sent by email to:

[benny.gardiner@nm.com](mailto:benny.gardiner@nm.com)

  
\_\_\_\_\_  
Dustin J. DeGroot  
Iowa Insurance Division

CC:  
Iowa Department of  
Revenue  
Attn: License Sanction  
PO Box 10330  
Des Moines, IA 50306-  
0330

By CERTIFIED &  
FIRST CLASS MAIL:  
Benny R. Gardiner  
Northwestern Mutual  
4601 Westown Pkwy. Ste.  
342  
West Des Moines, IA  
50266-1081

By CERTIFIED &  
FIRST CLASS MAIL:  
Benjamin R. Gardiner  
2614 53rd St.  
Des Moines, IA 50310