

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)	Division Case No. 76453
)	
DEAN E. OLBERDING,)	ORDER FOR REISSUANCE
NPN 8177159,)	AFTER LICENSE SUSPENSION AND
DOB 11/24/XXXX,)	EXPIRATION
Respondent)	

Pursuant to Iowa Code Chapter 522B—Licensing of Insurance Producers and Iowa Administrative Code Chapter 10, this matter comes before the Commissioner of Insurance upon an application by Dean E. Olberding for reissuance of an Iowa insurance producer license.

I. PARTIES AND JURISDICTION

1. The Commissioner of Insurance, Doug Ommen, directly and through his designees, administers and enforces Iowa Code Chapter 522B—Licensing of Insurance Producers and Iowa Administrative Code Chapter 10, pursuant to Iowa Code § 505.8.
2. Dean E. Olberding (“Applicant”) is an individual with a last known mailing address of 2035 E. Iron Ave., Salina, KS 67401 and a National Producer Number of 8177159.
3. Applicant has filed an application with the Iowa Insurance Division (“Division”) for reissuance of his Iowa insurance producer license and filed an application through the National Insurance Producer Registry (NIPR) for individual producer license.
4. The Commissioner is authorized to issue this order pursuant to Iowa Administrative Code rule 191—10.10.

II. FINDINGS OF FACT

5. Applicant was previously licensed as a nonresident insurance producer in Iowa from December 26, 2006 until September 27, 2009.

6. Applicant was previously licensed as a resident insurance producer in Iowa from September 28, 2009 until September 26, 2011.
7. Applicant was again licensed as a nonresident insurance producer in Iowa from September 27, 2011 until November 30, 2012.
8. On March 22, 2012, the Division received a certificate of noncompliance from the Iowa Department of Human Services (“Certificate of Noncompliance”) indicating that Applicant was not in compliance with a support order being enforced by the Child Support Recovery Unit (“CSRU”).
9. On March 30, 2012, the Division mailed Applicant notification of the intent to suspend his insurance producer license if the CSRU did not issue a withdrawal of the Certificate of Noncompliance within thirty days.
10. On May 4, 2012, the Division issued an order immediately suspending Applicant’s Iowa insurance producer license (“Suspension Order”). Applicant was also notified by letter that the reinstatement of his Iowa insurance producer license was contingent upon the CSRU issuing a withdrawal of the Certificate of Noncompliance and meeting the Division’s requirements for reinstatement.
11. On November 30, 2012, Applicant’s Iowa insurance producer license expired.
12. On September 8, 2015, the CSRU issued a notice of withdrawal of certificate of noncompliance for Applicant (“Withdrawal”).
13. On February 10, 2017, Applicant applied for a nonresident insurance producer license with the Division by submitting through NIPR a Uniform Application for Individual Insurance Producer License (“Uniform Application”).

14. On February 17, 2017, Applicant filed an Iowa insurance producer application for reissuance (“Reissuance Application”), which included a statement that the child support obligation has been met and the CSRU has issued the Withdrawal.

III. CONCLUSIONS OF LAW

15. Iowa Code § 522B.11(1) authorizes a range of disciplinary actions for insurance producers, including suspensions.

16. Iowa Administrative Code 191—10.10(6) provides that when a suspension of a producer’s license extends beyond the license expiration date, the license terminates on the license expiration date.

17. Iowa Administrative Code 191—10(9)(2) provides that a nonresident producer who fails to receive a reinstatement of an expired license within 12 months of the license expiration date must apply for a new license.

18. Applicant is in compliance with the terms of the Suspension Order and has submitted a Reissuance Application.

19. Applicant has met his burden of establishing that the basis for the suspension, his noncompliance with the CSRU, no longer exists.

20. Applicant should be issued a new nonresident insurance producer license.

IV. ORDER

IT IS THEREFORE ORDERED that:


A. Dean E. Olberding’s Reissuance Application is granted and the administrative suspension block is removed from his Iowa licensing record;

B. Dean E. Olberding’s Uniform Application for Individual License Registration is approved;

C. Dean E. Olberding shall immediately be permitted to transact and participate in the business of insurance in Iowa.

Dated this 3rd day of March, 2017.

COMMISSIONER OF INSURANCE



Douglas M. Ommen
Commissioner of Insurance

Submitted by,



Dustin J. DeGroot
Compliance Attorney

3/2/17

Date

CERTIFICATE OF SERVICE

County of Polk)
)
State of Iowa)

The undersigned affiant certifies under penalty of perjury that she has entered the above order into the records of the Iowa Commissioner of Insurance and on the 3rd day of March, 2017, the foregoing order was delivered to the United States Postal Service, postage prepaid, for first class mail to:

Dean E. Olberding
2035 E. Iron Ave.
Salina, KS 67401

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

dolberding1@hotmail.com



Tammi L. Green
Iowa Insurance Division

BEFORE THE IOWA INSURANCE COMMISSIONER
IOWA INSURANCE DIVISION
330 MAPLE STREET
DES MOINES, IA 50319

IN THE MATTER OF:)	DOCKET NO. 76453
)	
DEAN OLBERDING)	
)	
INSURANCE PRODUCER)	ORDER FOR SUSPENSION
NO. 8177159)	
)	

This matter comes before the Iowa Insurance Commissioner upon submission of a Certificate of Noncompliance from the Iowa Department of Human Services ("DHS"). Under Iowa Code section 272J.9 (2011) and Iowa Administrative Code, rule 191-10.20, the Iowa Insurance Commissioner was required to issue a notice to **Dean Olberding** ("Respondent") advising Respondent that the Certificate of Noncompliance was received and that Respondent's Iowa insurance producer license would be suspended in 30 days unless DHS withdrew the Certificate of Noncompliance within those 30 days. The Iowa Insurance Division's letter notifying Respondent of the intended suspension was sent on March 30, 2012. Therefore, the thirty-day notice period has now passed.

The Iowa Insurance Commissioner has authority to order the suspension of the insurance producer license of Respondent pursuant to Iowa Code section 252J.8 (2011) and Iowa Administrative Code, rule 191-10.20.

THEREFORE, IT IS ORDERED:

The Iowa insurance producer license of **Dean Olberding** is suspended as of the date of this Order.

SUSAN E. VOSS
Commissioner of Insurance


BY: BOB KOPPIN
Enforcement Bureau Chief

Date: May 4, 2012

CC:
Child Support Recovery Unit
Worker ID ADC1
Case # 823172
20 W 6th Street
STE 200
Spencer, IA 51301

LOCAL
Christina Hazelbaker
Iowa Insurance Division

By **CERTIFIED &
FIRST CLASS MAIL:**
Dean Olberding
520 Samuels Avenue
#6404
Fort Worth, TX 76102