

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)	Division Case No. 100394
)	
BRAD DENNING,)	ORDER & CONSENT TO ORDER
NPN 18468699,)	
DOB 11/14/XXXX,)	
)	
Respondent)	

NOW THEREFORE, upon motion of the Iowa Insurance Division (“Division”) and by the consent of Respondent Brad Denning, pursuant to the provisions of Iowa Code Chapter 522B—Licensing of Insurance Producers, the Commissioner enters the following Order and Consent to Order (“Consent Order”):

I. PARTIES AND JURISDICTION

1. The Commissioner of Insurance, Douglas Ommen, directly and through his designees, administers and enforces Iowa Code Chapter 522B—Licensing of Insurance Producers pursuant to Iowa Code § 505.8.
2. Brad Denning (“Respondent”) is an individual with a last-known residence address of 1403 W 19th Street, Cedar Falls, IA 50613.
3. Respondent is and has been licensed in the state of Iowa as a resident insurance producer since July 10, 2017. He is licensed under National Producer Number 18468699.
4. Pursuant to Iowa Code § 505.28, Respondent has consented to the jurisdiction of the Commissioner of Insurance by committing acts governed by chapter 522B.
5. From on or about October 19, 2017 to December 20, 2017, Respondent has engaged in acts and practices within the state of Iowa constituting cause for probation, suspension, or revocation of his insurance producer license; cease and desist orders; and civil penalties or other relief under Iowa Code Chapters 505, 522B, and rules adopted pursuant to these chapters.

II. FINDINGS OF FACT

6. Respondent applied for a resident insurance producer license with the Division by submitting through the National Insurance Producer Registry a Uniform Application for Individual Producer License (“Uniform Application”). In submitting the Uniform Application, Respondent designated the Commissioner as an agent for service of process.
7. The Division issued Respondent a license as a resident insurance producer on July 10, 2017 and assigned to him National Producer Number 18468699.
8. Respondent was employed as a bail bondsman during the relevant time period.
9. During the relevant time period, Respondent collected premiums for surety bonds from clients.
10. Respondent was required by his employer to deposit any premium collected into the company’s bank account.
11. From October 14 through October 18, 2017, Respondent collected \$4,300 in cash for the premium on three surety bonds and one cash bond but on October 19, only deposited \$3,675 into the company’s bank account. Respondent failed to deposit \$625 of premium money into the company’s bank account.
12. From November 21 through November 26, 2017, Respondent collected \$1,788 in cash for the premium on four surety bonds and one cash bonds but on December 1 and 8, only deposited a total of \$1,648 into the company’s bank account. Respondent failed to deposit \$140 of premium money into the company’s bank account.
13. From December 7 through December 15, 2017, Respondent collected \$4,776 in cash for the premium on fifteen surety bonds and three cash bonds but on December 11 and December

19, only deposited a total of \$4,550. Respondent failed to deposit \$226 of premium money into the company's bank account.

14. From December 11 through December 20, 2017, Respondent collected \$5,980 in cash for the premium on three surety bonds and two cash bonds but on December 20, only deposited \$710. Respondent failed to deposit \$5270 of premium money into the company's bank account.

15. Respondent has since repaid the company the entire amount of premium he failed to deposit.

III. CONCLUSIONS OF LAW

COUNT ONE

Demonstrating Financial Irresponsibility

16. Under Iowa Code § 522B.11(1)(h), a license may be subject to probation, suspension, or revocation and civil penalties may be levied, as provided in Iowa Code § 522B.17, for demonstrating financial irresponsibility in the conduct of business in this state or elsewhere.

17. Respondent demonstrated financial irresponsibility in the conduct of business in this state by failing to deposit the full amount of premiums received into the appropriate account.

18. Respondent's acts and practices have been in violation of Iowa Code § 522B.11(h) subjecting Respondent to revocation or suspension of Respondent's insurance producer license, the imposition of a civil penalty, and an order requiring Respondent to cease and desist from engaging in the acts or practices alleged herein pursuant to Iowa Code §§ 522B.11 and 522B.17.

IV. ORDER

WHEREFORE, IT IS ORDERED pursuant to the powers granted to the Commissioner of Insurance by Iowa Code Chapter 522B:

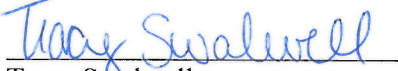
- A. Respondent's Iowa resident insurance producer license is permanently revoked and Respondent is permanently prohibited from engaging in the business of insurance in this state pursuant to Iowa Code §§ 522B.11 and 507B.7;
- B. Respondent, pursuant to Iowa Code §§ 522B.17 and 507B.7, shall immediately cease and desist from engaging in the business of insurance in this state; and
- C. Respondent shall, contemporaneously with this Consent Order, pay a civil penalty in the amount of \$500.00, made payable to the Iowa Insurance Division, to be credited to the Iowa Enforcement Fund, to provide funds for insurance enforcement and education pursuant to Iowa Code §§ 505.8, 522B.11, 522B.17, and 507B.7.

SO ORDERED on the 3rd day of July, 2019.



DOUGLAS M. OMMEN
Iowa Insurance Commissioner

Respectfully submitted,



Tracy Swalwell
Iowa Insurance Division
Two Ruan Center
601 Locust St. – 4th Floor
Des Moines, Iowa 50309-3738
Phone: (515) 725-1249

Attorney for the Iowa Insurance Division

Copy to:

Kevin D. Engels
411 Main St., P. O. Box 842
Cedar Falls, IA 50613-0040
ATTORNEY FOR RESPONDENT

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause, or their attorney, at their respective addresses disclosed on the pleadings on July 3, 2019.

By: First Class Mail Personal Service
 Restricted certified mail, return receipt Email, by consent
 Certified mail, return receipt _____

Signature: 
Hilary Foster

NOTICE OF PENALTIES FOR WILLFUL VIOLATION OF THIS ORDER

YOU ARE NOTIFIED that acting as an insurance producer, as defined in Iowa Code Chapter 522B, in violation of this Order, is a felony under Iowa Code § 507A.10, subjecting you to punishment of imprisonment, jail, fines, or any combination of custody and fines.

YOU ARE ALSO NOTIFIED that if you violate this Order, you may be subject to administrative and civil penalties pursuant to Iowa Code § 522B.17(3). The Commissioner may petition the district court to hold a hearing to enforce the order as certified by the Commissioner. The district court may assess a civil penalty against you in an amount not less than three thousand dollars but not greater than ten thousand dollars for each violation, and may issue further orders as it deems appropriate.

NOTICE OF FINAL ORDER IMPACT

A final order of license revocation or a cease and desist order may adversely affect other existing business or professional licenses and may result in license revocation or disciplinary action.

A final order in an administrative action does not resolve any potential criminal or civil violations or causes of action that might arise from the same or similar conduct that is the subject of this order. It may result in criminal law enforcement authorities, including the fraud bureau of the Iowa Insurance Division, pursuing a criminal investigation or prosecution of potential criminal law violations.

CONSENT TO ORDER AND AGREEMENT

I, Brad Denning, Respondent in this matter, have read, understood, and do knowingly consent to this Order in its entirety. By executing this Consent, I understand that I am waiving my rights to a hearing, to confront and cross-examine witnesses, to produce evidence, and to judicial review.

I further understand that this Order is considered a final administrative action that may be reported by the Division to the National Association of Insurance Commissioners and to other regulatory agencies. I also understand that this Order is a public record under Iowa Code Chapter 22, which will be disclosed to other state regulatory authorities, upon request, pursuant to Iowa Code § 505.8(8)(d). I also understand that this Order will be posted to the Division's website and a notation will be made to the publicly available website record that administrative action has been taken against me.

6/28/2019
Date

Brad Denning
Brad Denning, Respondent

1703 W 19th St Cedar Falls, IA 50613
Address of Signatory

Subscribed and sworn before me by Brad Denning on this 28 day of June, 2019.

[Signature]
Notary Public for the State of Iowa

