



BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)	
)	Division Case No. 102746
)	
TRAVIS E. EVANS,)	ORDER AND
NPN 16733713,)	CONSENT TO ORDER
DOB 04/23XXXX,)	
)	
Respondent)	

NOW THEREFORE, upon motion of the Iowa Insurance Division (“Division”) and by consent of the Respondent Travis E. Evans, 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 M. Ommen, directly and through his designees, administers and enforces Iowa Code chapter 522B—Licensing of Insurance Producers pursuant to Iowa Code § 505.8.
2. Travis E. Evans (“Evans”) is an individual with a last-known residence address of 6255 Beechwood Dr., Unit 2204, West Des Moines, IA 50266.
3. Evans has been licensed in the state of Iowa as a resident insurance producer since July 30, 2012. He is licensed under National Producer Number 16733713.
4. Pursuant to Iowa Code § 505.28, Evans has consented to the jurisdiction of the Commissioner of Insurance by committing acts governed by Iowa Code chapter 522B.
5. From on or about August 26, 2017 to May 30, 2019, Evans 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. Evans 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, Evans designated the Commissioner as an agent for service of process.

7. The Division issued Evans a license as an insurance producer on July 30, 2012 and assigned to him National Producer Number 16733713.

8. On July 8, 2017, a criminal complaint named Evans as an offender and was filed in the Iowa District Court in and for Hardin County alleging that he committed a Class C Felony.

9. On July 25, 2017, Evans had his initial pretrial hearing in the Iowa District Court for Hardin County.

10. Evans failed to report this criminal prosecution within thirty days of the initial pretrial hearing.

11. The Division became aware of Evans’ failure to report his criminal prosecution on June 19, 2019 and began an investigation into the matter.

12. On June 19, 2019, a Division compliance officer sent Evans a letter requesting information regarding Evans’ failure to report the criminal prosecution and his providing incorrect, misleading, incomplete, or materially untrue information on his license renewal application dated April 30, 2018.

13. Evans' response to the Division's letter indicated that on January 3, 2018, Evans plead guilty to charges in violation of Iowa Code sections 123.46(2) and 708.7(1)(b) in the Iowa District Court for Hardin County.

14. Evans' response further indicated that on April 29, 2019, Evans was convicted of a violation of Iowa Code sections 708.1 and 708.2(2), a serious misdemeanor, in the Iowa District Court for Hardin County. Evans failed to report this criminal conviction to the Division until July 11, 2019. This conviction was the result of a guilty plea related to the original felony charge referenced in paragraph eight above.

15. Evans completed a renewal license application on April 30, 2018.

16. Evans answered "No" to Background Question 1A which asked "Have you been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor, which has not been previously reported to the insurance department."

17. Evans also answered "No" to Background Question 1B which asked "Have you been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony, which has not been previously reported to the insurance department."

18. At the time of his renewal license application, Evans had both been convicted of misdemeanors and was currently charged with committing a felony that had not been previously reported to the Division.

III. CONCLUSIONS OF LAW

COUNT ONE FAILURE TO REPORT CRIMINAL PROSECUTIONS

19. Iowa Code § 522B.16(1) provides "Within thirty days of the initial pretrial hearing date, an insurance producer shall report to the commissioner any criminal prosecution of the insurance

producer taken in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant documents.”

20. Evans failed to report to the Division the three criminal prosecutions taken against him in the Iowa District Court for Hardin County.

21. Evans’ acts and practices have been in violation of Iowa Code § 522B.16 subjecting Evans to suspension or revocation of his insurance producer license, to the imposition of a civil penalty, an order requiring Evans to cease and desist from engaging in such acts or practices, the imposition of costs of the investigation and prosecution of the matter, and any other corrective action the Commissioner deems necessary and appropriate pursuant to Iowa Code §§ 522B.16, 522B.17 and 505.8.

COUNT TWO
PROVIDING INCORRECT, MISLEADING, INCOMPLETE, OR MATERIALLY UNTRUE INFORMATION IN THE LICENSE APPLICATION

22. Under Iowa Code § 522B.11(1)(a), an insurance producer is prohibited from providing incorrect, misleading, incomplete, or materially untrue information in the license application.

23. Evans provided incorrect, misleading, incomplete, or materially untrue information on his resident license renewal application when he answered “No” to both questions asking if he had been convicted of a misdemeanor or was currently charged with a felony.

24. Evans’ acts and practices have been in violation of Iowa Code §§ 522B.11(1)(a) subjecting Evans to probation, suspension, or revocation of Evans’ insurance producer license, the imposition of a civil penalty, an order requiring Evans to cease and desist from engaging in such acts or practices, the imposition of costs of the investigation and prosecution of the matter, and any other corrective action the Commissioner deems necessary and appropriate pursuant to Iowa Code §§ 522B.11, 522B.17, and 505.8.

IV. ORDER

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

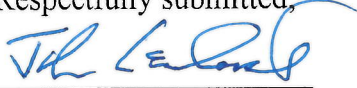
- A. Evans, pursuant to Iowa Code § 522B.17, shall immediately cease and desist from engaging in the conduct that is in violation of Iowa insurance law;
- B. Evans shall make a payment of a civil penalty to the state of Iowa in the amount of \$2,000.00, payable to the Iowa Insurance Division, to be credited to the Iowa Enforcement Fund, to provide funds for insurance enforcement and education pursuant to Iowa Code §§ 505.8 and 522B.17; and
- C. Evans shall make a payment to the State of Iowa for costs of the investigation and prosecution in the amount of \$500.00 pursuant to Iowa Code § 505.8.

SO ORDERED on the 13th day of December, 2019



DOUGLAS M. OMMEN
Iowa Insurance Commissioner

Respectfully submitted,



JOHN LEONHART
Compliance Attorney
Two Ruan Center
601 Locust St., 4th Floor
Des Moines, IA 50309-3738
Email: john.leonhart@iid.iowa.gov
Telephone: (515) 281-4029
Attorney for Iowa Insurance Division

Copy to:
Mr. Trent Nelson
Attorney for Travis E. Evans
Sellers, Galenbeck and Nelson
400 Locust Street, Suite 170
Des Moines, IA 50309-2351

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 December 17, 2019.

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

Signature: Hilary Foster
Hilary Foster

NOTICE OF PENALTIES FOR WILLFUL VIOLATION OF THIS ORDER

YOU ARE NOTIFIED that willful violation of this Order by an insurer 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 §§ 505.8 and 507A. 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, and may issue further orders as it deems appropriate.

NOTICE OF FINAL ORDER IMPACT


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 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, Travis E. Evans, have read, understood, and do knowingly consent to this Order in its entirety. By executing this Consent, I understand that I am waiving its 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.

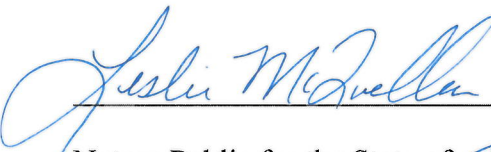
12-13-19
Date


Travis E. Evans:

Signatory Address:

Subscribed and sworn before me by Travis Evans on this 13th day of December, 2019.




Notary Public for the State of Iowa