

**FILED**

SEP 07 2017

COMMISSION OF INSURANCE  
INSURANCE DIVISION OF IOWA

BEFORE THE IOWA INSURANCE COMMISSIONER

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IN THE MATTER OF	)	Division Case No. 68943
	)	
SHAD N. CLAYTON,	)	<b>ORDER FOR REISSUANCE</b>
NPN 7146247,	)	<b>AFTER LICENSE SUSPENSION AND</b>
DOB 08/05/XXXX,	)	<b>EXPIRATION</b>
Respondent	)	

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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 Shad Clayton 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. Shad Clayton (“Applicant”) is an individual with a last known mailing address of 344 58<sup>th</sup> Ct., West Des Moines, IA 50266 and a National Producer Number of 17335627.
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 resident insurance producer in Iowa from April 15, 2002 until December 23, 2010.

6. On September 8, 2010, the Division received a certificate of noncompliance from the Iowa Department of Revenue (“Certificate of Noncompliance”) indicating that Applicant was not in compliance with a qualifying debt being enforced by the Iowa Department of Revenue (“IDR”).
7. On September 13, 2010, the Division mailed Applicant notification of the intent to suspend his insurance producer license if the IDR did not issue a withdrawal of the Certificate of Noncompliance within sixty days.
8. On December 23, 2010, 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 IDR issuing a withdrawal of the Certificate of Noncompliance and meeting the Division’s requirements for reinstatement.
9. On January 24, 2011, the Financial Industry Regulatory Authority (FINRA) became aware of the Suspension Order and issued its own order suspending Applicant’s investment company products/variable contracts representative and securities agent registrations, and notified Applicant that he must request termination of his suspension within three months or his registrations would be terminated and he would be barred.
10. On September 6, 2011, Applicant’s investment company products/variable contracts representative and securities agent registrations were terminated for failing to request a termination of his suspension within three months. Additionally, Applicant was barred from associating with any FINRA member in any capacity.
11. On August 31, 2011, Applicant’s Iowa insurance producer license expired.

12. On August 29, 2017, the IDR issued a notice of withdrawal of the Certificate of Noncompliance for Applicant.
13. On August 24, 2017, Applicant applied for a resident insurance producer license with the Division by submitting through NIPR a Uniform Application for Individual Insurance Producer License (“Uniform Application”). Applicant did not apply for variable lines licensure.
14. On September 6, 2017, Applicant filed an Iowa insurance producer application for reissuance (“Reissuance Application”), which included a statement that the qualifying debt is being paid by agreement between Applicant and IDR and the reason for the noncompliance is no longer at issue.

### **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(1) provides that a resident 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 IDR, no longer exists.
20. Applicant should be issued a new resident insurance producer license.

**IV. ORDER**

**IT IS THEREFORE ORDERED** that:

- A. Shad N. Clayton's Reissuance Application is granted and the administrative suspension block is removed from his Iowa licensing record;
- B. Shad N. Clayton's Uniform Application for Individual License Registration is approved;
- C. Shad N. Clayton shall immediately be permitted to transact and participate in the business of insurance in Iowa.

Dated this TK day of September, 2017.

COMMISSIONER OF INSURANCE



Douglas M. Ommen  
Commissioner of Insurance

Submitted by,



Dustin J. DeGroot  
Compliance Attorney

9/7/17  
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 8<sup>th</sup> day of September, 2017, the foregoing order was delivered to the United States Postal Service, postage prepaid, for first class mail to:

Shad N. Clayton  
344 58<sup>th</sup> Ct.  
West Des Moines, IA 50266

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

Snclayton1977@gmail.com

  
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Tammi L. Green  
Iowa Insurance Division