

3. Mehmen is and has been licensed in the state of Iowa as a resident insurance producer since January 29, 2021. He is licensed under National Producer Number 19775083.
4. Pursuant to Iowa Code § 505.28, Respondent consented to the jurisdiction of the Commissioner of Insurance by committing acts governed by chapter 522B.
5. From on or about February 8, 2021, to present, Mehmen 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, 507B, 522B, and rules adopted pursuant to these chapters.

II. FINDINGS OF FACT

6. Mehmen 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, Mehmen designated the Commissioner as an agent for service of process.
7. The Division issued Mehmen a license as a resident insurance producer on January 29, 2021, and assigned to him National Producer Number 19775083.
8. Mehmen worked for Platinum Insurance Agency, LLC (“Platinum”) as an independent contractor beginning in February 2021. Platinum suspended Mehmen’s right to sell Platinum products, pending an investigation, on or about February 22, 2021.
9. On February 22, 2021, the Division received a report from the Jasper County, Iowa Sheriff’s Office regarding Mehmen’s sales activities.
10. The report stated that five residents of Jasper County, Iowa contacted the Jasper County Sheriff’s Office in February 2021 with complaints regarding an insurance salesman and allegations of trespass.

Consumer Ms. SK

11. At all times relevant hereto, Ms. SK was a resident of Iowa.
12. On February 10, 2021, Ms. SK contacted the Jasper County Sheriff's Office to report what she believed was suspicious activity.
13. Just prior to her call to the Sheriff's Office, two men came to her residence and while one individual remained in a white Jeep SUV, the other knocked on her door and represented himself as an insurance salesman. This individual did not identify himself or the company he represented, but indicated that he was selling long term care or supplemental insurance.
14. Ms. SK believed this individual to be "overly aggressive and pushy."
15. Ms. SK described the individual as appearing disheveled with his pants zipper down.
16. In an interview with the Division, Ms. SK further described the individual at her door as a white male with brown hair, approximately 6 feet tall, around 160 pounds, and missing half his teeth. Ms. SK also stated that she had to tell the individual multiple times that she was not interested before he would leave the premises.
17. Mehmen was in the vicinity of Ms. SK's residence on February 10, 2021, conducting door-to-door sales with fellow insurance producer Ryan Cummer. Cummer owned a white Jeep, Grand Cherokee, during February 2021.

Consumer Mr. VS

18. At all times relevant hereto, Mr. VS was a resident of Iowa.
19. On February 15, 2021, Mr. VS contacted the Jasper County Sheriff's Office to report what he believed was suspicious activity. A male came to Mr. VS' house, representing himself to be an insurance salesperson, but Mr. VS did not believe the individual to be legitimate.

20. Mr. VS described the individual, to the Sheriff's Office, as dressed in a sweatshirt, smoking, and having laborer hands. Mr. VS observed this individual driving a Prius with the back window broken out and an Iowa license plate number of KEG 519.

21. An officer from the Sheriff's Office ran the plate number and discovered that the plate was registered to Mehmen.

22. Mr. VS also told the Sheriff's Office that the salesperson "forcibly ask[ed] to come into the residence."

23. In an interview with a Division analyst, Mr. VS said that the salesperson was selling cancer insurance, but Mr. VS declined to purchase. Mr. VS stated that he contacted the Sheriff's Office because he felt the salesperson's dress and vehicle was unusual for a legitimate salesperson and found it odd that a company would send out door-to-door salespeople during a pandemic.

24. Mr. VS clarified that Mehmen did not physically try to force his way into the residence, but that he was verbally pushing his way into the house.

Consumer Mr. TN

25. At all times relevant hereto, Mr. TN was a resident of Iowa.

26. On February 15, 2021, a Prius was stranded in a ditch by Mr. TN's residence. Mr. TN spoke with the stranded motorist to ask if he required assistance, but the individual stated that a tow truck had been called.

27. When the vehicle and driver remained several hours later, Mr. TN became concerned and contacted the Jasper County Sheriff's Office to report a stranded motorist by his residence.

28. A deputy with the Sheriff's Office came out and noted the vehicle had a license plate of KEG 519 and was registered to Mehmen. The deputy also identified Mehmen as the driver and occupant of the vehicle.

29. The following morning, Mehmen approached Mr. TN's residence and asked to enter the home and discuss insurance. Mr. TN requested a business card, but Mehmen did not provide one.

30. Mr. TN declined to listen to Mr. TN's sales pitch at least 4 or 5 times and Mehmen became agitated at Mr. TN's refusal to allow Mehmen into his home.

31. After being declined numerous times by Mr. TN, Mehmen asked if he could speak to Mr. TN's wife about purchasing insurance.

Consumer Mr. SB

32. At all times relevant hereto, Mr. SB was a resident of Iowa.

33. On or about February 17, 2021, Mehmen opened the front door of Mr. SB's residence and partially entered the home by sticking his head in without identifying himself or waiting for permission to enter. Mr. SB's son was home alone at this time and took a picture of the intruder and the intruder's vehicle. The vehicle photographed is a Prius with license plate number KEG 519—a vehicle registered to Mehmen.

34. Mr. SB posted the picture on Facebook to alert people in the area.

Consumer Mr. MP

35. At all times relevant hereto, Mr. MP was a resident of Iowa.

36. On or about February 21, 2021, Mr. MP contacted the Jasper County Sheriff's Office to report two individuals engaged in suspicious activity.

37. A tan Prius, the same color as Mehmen's Prius, parked at Mr. MP's residence and two individuals came to his door. Mr. MP, undergoing cancer treatment, did not answer the door.

38. Immediately thereafter, Mr. MP observed the two individuals walking around his house and peering into his windows.

Division's Communication Attempts with Mehmen

39. On June 22, 2021, a Division analyst sent Mehmen a letter, by first-class mail and email, requesting an interview to discuss the various consumer complaints regarding Mehmen's sales practices.

40. The letter was mailed to the address provided by Mehmen and documented in his producer licensing file. The mailed letter was returned to the Division and marked as "Moved Left No Address—Unable to Forward."

41. Mehmen responded to the email sent to his email address, Shanemehmen1588@gmail.com, on June 23, 2021. His response included a telephone number which differed from the telephone number he provided on his application for licensure.

42. Mehmen confirmed that he would come to the Division on July 9, 2021, at 1:00 p.m. for an in-person interview.

43. Mehmen failed to appear at the Division at the appointed time.

44. The Division analyst attempted to contact Mehmen both at the telephone number listed in his producer licensing file as well as the telephone number provided by Mehmen just two weeks prior. The telephone number noted in his licensing file had been disconnected and the telephone number provided by Mehmen in his emailed response was unable to receive calls.

45. The Division analyst emailed Mehmen on July 9th seeking an explanation for his failure to appear and rescheduling the interview for July 15th.

46. Mehmen never responded to the July 9th email and never appeared for an interview.
47. Mehmen has not provided the Division with updated residence, business, and mailing addresses or telephone numbers.

Respondent's Default

48. The Division filed a statement of charges against Mehmen on August 25, 2021, alleging violations of law and grounds for license discipline under Iowa Code chapter 522B and Iowa Administrative Code chapter 10.
49. Pursuant to Mehmen's consent to service of process, the Commissioner was served with the statement of charges on August 25, 2021. A notice of hearing was issued by the Commissioner on August 25, 2021.
50. In accordance with Iowa Administrative Code rule 191—3.5, the statement of charges and notice of hearing were mailed by restricted certified mail to the last-known residence, mailing, and business address provided by Mehmen and noted in his licensing record.
51. On August 26, 2021, the statement of charges and notice of hearing were also emailed to Mehmen's last-known e-mail address provided by Mehmen and noted in his licensing record.
52. The Division did not receive any return email indicating its email to Mehmen with the statement of charges and notice of hearing attached failed to be delivered.
53. The restricted, certified mail was returned to the Division on September 8, 2021, as "Return to Sender—Moved Left No Address—Unable to Forward."
54. The Division conducted a search of public records, both prior to the August 26th mailing and once the mail was returned on September 8th, and the address noted in Mehmen's licensing record is the most recent address associated with Mehmen.

55. Mehmen has not filed an answer to the statement of charges and thus failed to participate in a contested case proceeding as required by Iowa Administrative Code rule 191—3.5(3).

56. Mehmen has not requested, nor has the Division consented to, Mehmen filing his answer beyond the 20 days of the service of the notice of hearing and statement of charges.

57. The Division filed a motion for default order on September 16, 2021.

58. The motion for default order was sent via first class mail to Mehmen's last-known mailing address of 1230 Rainbow Road, Waterloo, Iowa 50704 and by e-mail to Mehmen's last-known email address.

59. Mehmen failed to respond to the Division's motion for default order within ten days as required by Iowa Administrative Code rule 191—3.15(2).

60. Mehmen failed to appear for the hearing on the motion for default order on October 4, 2021.

III. CONCLUSIONS OF LAW

61. A motion may be considered unresisted if no response is timely filed. Iowa Administrative Code rule 191—3.15(2). Mehmen has not filed a timely written response to the Division's motion for default order. The motion is therefore considered unresisted.

62. A party to a contested case action may move for default against a party when the party fails to file a required pleading or has failed to appear after proper service. Iowa Administrative Code rule 191—3.15(2). Mehmen has not filed an answer to the statement of charges and has not timely filed a response to the Division's motion for default order.

63. Under Mehmen's consent to service of process, Mehmen was properly served as required by Iowa Administrative Code rule 191—3.5(1).

64. The Division's motion for default should be granted.

COUNT ONE
Failure to Cooperate

65. Under Iowa Code § 522B.11(1)(p), a license may be subject to probation, suspension, or revocation and civil penalties may be levied, as provided in Iowa Code § 522B.17, for failing or refusing to cooperate in an investigation.

66. Mehmen failed to cooperate with an investigation by the Division's analyst regarding the various complaints detailed in the Jasper County Sheriff's Office report.

67. Although Mehmen initially agreed to appear at the Division for an in-person interview, he failed to actually appear on the agreed upon date, did not contact the Division's analyst to inform him that he would be unable to attend, and did not respond to the analyst's attempts to obtain an explanation and reschedule the interview.

68. Mehmen's failure to cooperate has made it impossible to obtain Mehmen's statement in response to the allegations regarding Mehmen's sales practices.

69. Mehmen's acts and practices have been in violation of Iowa Code § 522B.11(1)(p) subjecting Mehmen to probation, suspension, or revocation of Mehmen's insurance producer license, the imposition of a civil penalty, an order requiring Mehmen 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.

COUNT TWO
**Fraudulent, Coercive, or Dishonest Practices or
Demonstrating Incompetence or Untrustworthiness**

70. 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 using

fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business.

71. Mehmen used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility when he failed to identify himself and/or the company he represented during the sale and solicitation of insurance on behalf of Platinum.

72. Mehmen used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility when he used aggressive sales tactics by not leaving a residence until he was told “no” repeatedly.

73. Mehmen used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility when he opened Mr. SB’s front door and stuck his head inside without permission.

74. Mehmen used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility when he walked around Mr. MP’s house, peering into the consumer’s windows.

75. Mehmen’s acts and practices have been in violation of Iowa Code § 522B.11(1)(h) subjecting Mehmen to probation, suspension, or revocation of his insurance producer license, the imposition of a civil penalty, an order requiring him to cease and desist from engaging in such acts or practices, an order of restitution, 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.

COUNT THREE
Failure to Update Address

76. Under Iowa Code § 522B.6(7) and Iowa Administrative Code rule 191—10.12(2), a licensee shall inform the Commissioner of a change of address within thirty days of the change.

77. The address provided by Mehmen and recorded in his producer licensing record for residence, mailing, and business is 1230 Rainbow Dr., Waterloo, IA 50701. This letter was returned to the Division on June 30, 2021, because Mehmen had moved and not left a forwarding address.

78. Mehmen did not provide the Division's Producer Licensing Bureau with an updated address within 30 days and has not done so as of the date of this filing.

79. The residence and business telephone number provided by Mehmen and recorded in his producer licensing record is (319) XXX-0469. This number has been disconnected since July 9, 2021, at the latest.

80. Mehmen did not provide the Division's Producer Licensing Bureau with an updated telephone number within 30 days and has not done so as of the date of this filing.

81. Mehmen's failure to inform the Commissioner of a change in address is a violation of Iowa Code § 522B.6(7) and Iowa Administrative Code rule 191—10.12(2), subjecting Mehmen to a penalty, 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.17, 507B.7, and 505.8.

IV. ORDERS

IT IS HEREBY ORDERED that Shane Mehmen is in default pursuant to Iowa Administrative Code rule 191—3.22.

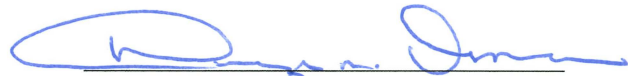
IT IS FURTHER ORDERED that Shane Mehmen's Iowa resident insurance producer license shall be revoked 15 days from the date of this order pursuant to Iowa Code §§ 522B.17 and 522B.11.

IT IS FURTHER ORDERED that Shane Mehmen shall cease and desist from engaging in the business of insurance in this state and from engaging in any of the acts, methods, or practices determined as violations herein pursuant to Iowa Code §§ 522B.17 and 522B.11.

IT IS FURTHER ORDERED that Shane Mehmen shall, within forty-five (45) days of this Order, pay the amount of \$1,500.00 for costs of investigation and prosecution pursuant to Iowa Code § 505.8. Payment shall be made payable to the Iowa Insurance Division, to be credited to the Iowa Enforcement Fund to provide funds for insurance enforcement and education.

IT IS FURTHER ORDERED that this order may be enforced under Iowa Code chapter 522B, and additionally, by any collection remedies available to the State of Iowa Department of Revenue for unpaid penalties and other ordered monetary amounts.

SO ORDERED on this 21st day of October, 2021.



Douglas Ommen
Iowa Insurance Commissioner

Copies of this order shall be sent by both certified and first-class mail to:

Shane Mehmen
1230 Rainbow Drive
Waterloo, Iowa 50704
Shanemehmen1588@gmail.com
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 October 21, 2021.

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

Signature: Tammi Green
Tammi Green

NOTICE OF FINAL ORDER

A default decision becomes final agency action 15 days from the date of the decision was mailed unless a motion to vacate the default decision is filed within that time period. 191 IAC 3.22(3). A motion to vacate must state all the facts upon which the moving party relies to establish good cause for failure to appear or participate at the contested case proceeding. Each fact must be substantiated by at least one affidavit by a person with personal knowledge of the fact, and the affidavit must be attached to the motion.

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 § 507 A. 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 REGARDING REISSUANCE

When this Order becomes final, your insurance producer license will become inactive due to revocation. While your license is inactive, you are prohibited from conducting the business of insurance. Your license will not be active until the Division makes the determination to reissue your insurance producer license by order pursuant to Iowa Administrative Code 191-10.10.

Reissuance of your insurance producer license is subject to the discretion of the Commissioner. Additionally, it will not be granted unless and until you have complied with the terms of this Order, made the appropriate Application for Reissuance with the Division, and paid all applicable fees. If applicable, you may also be required to apply for licensure through the National Insurance Producer Registry (NIPR) and pay all applicable fees.

NOTICE OF FINAL ORDER IMPACT

A final order of license probation, suspension, or 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.