



BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)	Division Case No. 105053
)	
ABUL H. ZUBAIR,)	ORDER DENYING
NPN 18790661,)	NONRESIDENT INSURANCE
DOB 11/15/XXXX,)	PRODUCER LICENSE REISSUANCE
)	AFTER SUSPENSION
Applicant.)	

Pursuant to Iowa Code chapter 522B—Licensing of Insurance Producers and Iowa Administrative Code rule 191—10.10, this matter comes before the Commissioner of Insurance upon an application by Abul H. Zubair for the reissuance of his Iowa nonresident insurance producer license.

I. PARTIES AND JURISDICTION

1. The Commissioner of Insurance, Douglas Ommen, directly and through his designees, administers and enforces Iowa Code chapter 507B—Insurance Trade Practices and Iowa Code chapter 522B—Licensing of Insurance Producers pursuant to Iowa Code § 505.8.
2. Abul H. Zubair (“Applicant”) is an individual with a last-known address of 5205 Congress Avenue, #644, Boca Raton, FL 33487, and a National Producer Number of 18790661.
3. Applicant has filed an application with the Iowa Insurance Division (“Division”) for reissuance of his Iowa nonresident insurance producer license and filed an application through the National Insurance Producer Registry (NIPR) for an 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 first became licensed as a nonresident insurance producer in Iowa on April 16, 2019.

6. On June 25, 2020, Applicant's nonresident insurance producer license was suspended for six months by consent order ("Consent Order"). *See* Attachment A (Zubair Consent Order 6.25.20). Applicant's license later expired on November 30, 2022.
7. The consent order found Applicant guilty of one count of failure to cooperate in violation of Iowa Code § 522B.11(1)(p), and one count of failure to update his residential address in violation of Iowa Code § 522B.6(7) and Iowa Administrative Code rule 191—10.12(2). The findings of fact indicated a pattern of Applicant failing to properly communicate with the Division and Applicant's failure to provide required information to the Division's Producer Licensing Bureau.
8. In the Consent Order, the Division listed Zubair's last known address was 1100 Park Central Boulevard S., Suite 2600, Pompano Beach, Florida 33064. On the signature page of the Consent Order, Zubair listed his address as 4701 N. Federal Highway, Ste. 430, Pompano Beach, Florida 33066.
9. Per the terms of the Consent Order, Applicant's license was suspended for six months, and Applicant was ordered to provide the Division's Producer Licensing Bureau, within five days of the Consent Order, his current residence, mailing, and work addresses, personal telephone number, and email address ("contact information"); cease and desist from engaging in any acts or practices described in the Consent Order; pay a civil penalty in the amount of \$2,000.00; and pay costs of the investigation and proceeding in the amount of \$3,000.00.
10. Applicant subsequently failed to provide his then-current contact information to the Division's Producer Licensing Bureau as required by the Consent Order.
11. On July 6, 2020, Applicant paid the ordered civil penalty and costs, six days after the deadline stated in the Consent Order.

12. On December 25, 2020, the six-month suspension period ended.
13. Nearly two-and-a-half years later, on May 24, 2023, Applicant submitted an electronic application for reinstatement through the NIPR website. *See* Attachment B (NIPR Application 5.24.23).
14. Prior to filing that application, Applicant's licensing records listed his residential address as 1100 Park Central Boulevard S., Suite 2600, Pompano Beach, Florida 33064. That same address was listed in Applicant's licensing records as his business and mailing address.
15. On the NIPR application, Applicant listed his residence address as 3321 Port Royale Drive S., #B406, Fort Lauderdale, FL 33308-4993, and his personal phone number as (XXX) XXX-0493. Applicant listed licensing@ahginsure.com as his personal email address, which the Division later confirmed to be the licensing department of Applicant's employer, Atlantis Health Group ("Atlantis"), an insurance company. He listed his business email address as abulz@atlantishealthgroup.com. *See* Attachment B.
16. The Division subsequently had a significant number of communications regarding the application with Applicant and Atlantis. Most of that communication occurred between the Division and Atlantis by email. *See* Attachment C (Emails between Division and Applicant). However, Applicant was fully aware that Atlantis was communicating with the Division on his behalf, and that he was ultimately responsible for all of their assertions on his behalf.
17. On May 26, 2023, the Division's Product and Producer Regulation Bureau emailed Applicant requesting Applicant complete two documents: a National Association of Insurance Commissioners ("NAIC") Application for Individual Producer License and a NAIC Producer Application for Reinstatement or Reissuance After Disciplinary Action. *See* Attachment C at 1.

18. On May 26, 2023, the Division received Applicant's NAIC application. On the NAIC application, Applicant listed his residence address as 5205 Congress Ave #644, Boca Raton, Florida 33487, and his phone number as (XXX) XXX-4633. Applicant listed his personal email address as abulz@atlantishealthgroup.com. *See Attachments C at 2 & D (NAIC Application 5.26.23).*

19. The residential address and phone numbers Applicant listed on his NAIC application submitted on May 26, 2023, did not match Applicant's previous NIPR application submitted on May 24, 2023. Additionally, question #1 of the background questions, asking whether Applicant has ever been convicted of a misdemeanor, had a judgment withheld or deferred, or was then-currently charged with committing a misdemeanor, was answered "No" on the NIPR application and "Yes" on the NAIC application. *See Attachments B & D.*

20. On May 31, 2023, the Division requested proof of Applicant's residential address and phone number, to be satisfied with a utility bill showing the address and a phone bill showing the phone number both dated within the previous thirty days. *See Attachment C at 3.*

21. On June 1, 2023, Atlantis provided an automobile insurance policy document for Applicant's proof of residency. The address on the policy document was 5205 Congress Ave., #644, Boca Raton, Florida 33487-3959. This address differed from the address in the NAIC application, which listed the street name as "Congress" rather than "Congress." *See Attachments C at 4 & E (Applicant's Auto Policy Document).*

22. On June 1, 2023, the Division emailed Atlantis advising that the address on the auto policy document did not match the residential address Applicant listed on his NAIC application. The Division requested an explanation for the discrepancy, and again requested Applicant

provide a phone bill as proof of the telephone number Applicant listed on his reissuance application. *See* Attachment C at 5.

23. On June 28, 2023, Atlantis responded to the Division's email stating, "The address is a new address. The phone is the business number purchased through a voip system. If you'd like, we can switch to a cell phone." *Id.* at 7. "VoIP" refers to "Voice Over Internet Protocol."

24. On July 5, 2023, the Division responded to Atlantis advising that the auto policy document was insufficient proof of address and reiterated its request for Applicant's proof of residential address and phone number. The Division stated that Applicant could provide proof of residency with his driver's license, a utility bill dated within the previous thirty days, a lease agreement, or a mortgage statement. The Division stated that Applicant could provide proof of phone number with a phone bill showing the phone number and Applicant's name. *Id.* at 9.

25. On July 6, 2023, Atlantis replied by email asking whether he could withdraw the application in order to change the phone number listed. *Id.* at 11. The Division replied stating that they could update the information without withdrawing the application, and that they just needed the requested documents. *Id.* at 13.

26. On July 11, 2023, Atlantis provided an electric bill as proof of resident address. *See* Attachments C at 16 & G (Applicant's Electric Bill). The address listed on the electric bill was 5205 Congress Ave., #644, Boca Raton, Florida 33487-3785. *See* Attachment G. Applicant also provided a cellular phone bill as proof of telephone number. *See* Attachment F (Cell Phone Bill). However, the phone bill was not in Applicant's name. The telephone bill was for an individual named Bilkis Akther and listed a New Jersey address. Further, the bill listed several numbers belonging to the plan, none of which matched the phone number listed on the reissuance application. *Id.*

27. On July 11, 2023, the Division responded by asking which phone number on the phone bill belonged to Applicant. *See* Attachment C at 20. That day, Atlantis responded by stating “We’re switching the phone number to the producers [*sic*] cell [XXX]-[XXX]-3040 because the number on the application is part of a voip system so no phone bill will show the number.” That number was one of the numbers listed on the phone bill provided. However, Applicant provided no proof that the number did indeed belong to him. *Id.* at 24.

28. On August 31, 2023, the Division sent Applicant a letter by certified mail to 5205 Congress Avenue, #644, Boca Raton, Florida 33487 requesting additional information, including a copy of the lease agreement for his current residence showing the date he began living there; a list of all addresses used since June 25, 2020, and the length of time he resided at each address; an explanation as to why the address he provided on the NIPR application was different than the address on the utility bill; and an email address other than his work email where the Division could contact him. *See* Attachment H (8.31.23 Letter from Division to Applicant).

29. On September 20, 2023, Applicant emailed the Division to provide a copy of his current lease, showing his residential address to be 5205 Congress Avenue, #644, Boca Raton, Florida 33487. *See* Attachments C at 28 & I (Applicant’s Lease Agreement). In response to the Division’s request for an address history since June 25, 2020, Applicant provided one former address, 3321 Port Royale Drive S, #B406, Fort Lauderdale, FL 33308-4993. *See* Attachment C at 28. That was the address Applicant listed on his NIPR application. *See* Attachment B. However, Applicant did not list the address he listed on the signature page of the Consent Order, 4701 N. Federal Highway, Ste. 430, Pompano, Florida 33066. *See* Attachment A. Applicant also provided an additional email address which appears to be a personal email address, abul.zubair91@gmail.com. *See* Attachment C at 28.

30. On September 21, 2023, the Division received a signed letter attached to an email from Applicant responding to the Division's request for a written explanation for why the residence address on his NIPR application did not match his proof of address. Therein he stated:

This letter is in regards to my non-resident application. My address submitted on my application was my old address by mistake due to thinking the button was clicked on NIPR for contact information change but it wasn't fully completed, this was 100% human error. I do apologize for any delay and confusion this may have caused.

See Attachments C at 30 & J (Applicant's Signed Statement 9.21.23).

31. Despite Applicant's claim, his "old address" on file prior to filing the reissuance application was not 3321 Port Royale Drive S, #B406, Fort Lauderdale, FL 33308-4993—the address listed on the NIPR application. *See Attachment B.* In fact, that address had never been previously listed in Applicant's licensing records with the Division.

32. The Division's Licensing Bureau recommended denying Applicant's application for an insurance producer license based on Applicant's lack of character and/or competence by failing to timely comply with the terms of the consent order, failing to answer questions on his application truthfully, and failing to answer subsequent questions from the Division truthfully. *See Attachment K (Zubair Recommendation for Denial).*

III. CONCLUSIONS OF LAW

33. Iowa Administrative Code rule 191—10.10(2)(a) states that a producer whose license has been suspended by order may apply to the Commissioner for reissuance of his or her license by filing an application for reissuance. The applicant shall initiate the proceedings for reissuance by filing an application for reissuance with the Commissioner.

34. Applicant has filed the Reissuance Application and Uniform License Application required by Iowa Administrative Code rules 191—10.10(2)(b) and 10.4.

35. Iowa Administrative Code rule 191—10.10(2)(b) states that applications for reissuance must allege facts sufficient to enable the Commissioner to establish that the basis of the suspension no longer exists.

36. The basis of the suspension in the Consent Order was Applicant's failure to cooperate with a Division investigation, the difficulty in contacting Applicant concerning a complaint made to the Division by a consumer due to the incorrect contact information in his licensing records, and Applicant's failure to update his residential address with the Division.

37. Applicant has failed to prove that the basis for the suspension no longer exists and that it would be in the public's best interest to grant his application and reissue his license.

38. Applicant failed to comply with his obligations under the Consent Order. Following entry of the Consent Order, Applicant was required to provide his then-current contact information to the Division's Producer Licensing Bureau within five days. Applicant failed to do so. Applicant was also required to pay a civil penalty in the amount of \$2,000.00 and costs of the investigation and proceeding in the amount of \$3,000.00 within five days of entry of the order on June 25, 2020. Applicant did not pay the penalty and costs until July 6, 2020, 6 days after the deadline.

39. Applicant provided incorrect, misleading, incomplete, or materially untrue information on his NIPR and NAIC applications, as well as in response to the Division's questions and requests, in several ways.

40. Applicant did not list his then-current residential address on the NIPR application. Applicant listed his residential address as 3321 Port Royale Drive S, #B406, Fort Lauderdale, FL 33308-4993, when in fact he was living at 5205 Congress Ave, #644, Boca Raton, Florida 33487-3959. Applicant only corrected his residential address information in response to a

request from the Division. When the Division requested sufficient proof of his residential address, it took Applicant six weeks to produce the requested proof.

41. Further, Applicant made an untrue statement in response to the Division's request for a written explanation for why Applicant provided an incorrect address on his NIPR application. In his response Applicant stated in relevant part, "My address submitted on my application was my old address by mistake due to thinking the button was clicked on NIPR for contact information change but it wasn't fully completed." However, at that time Applicant's last known residence address in his licensing records was 1100 Park Central Boulevard S, Suite 2600, Pompano Beach, Florida 33064. Applicant's NIPR application listed a different address, 3321 Port Royale Drive S, #B406, Fort Lauderdale, FL 33308-4993, an address which had never been recorded in Applicant's licensing records and thus could not have been on file as the "old address" as Applicant claimed.

42. Applicant provided an incomplete history of his residential addresses. The Division requested that Applicant provide a history of his residential addresses since June 25, 2020—the date the consent order was entered. Applicant provided only one address and omitted the address that he listed on the signature page of the consent order.

43. Applicant provided insufficient proof of his personal phone number. The Division requested Applicant provide a phone bill as proof of his current phone number. A month later, Applicant stated that the listed phone number was a business line purchased through a VoIP system that he claimed could not be verified with a phone bill. Applicant later requested to substitute that number for a cell phone number. In response to the Division's request for a phone bill as proof of his cell phone number, Applicant provided a phone bill that was not under his name and listed several numbers. Upon a further request for clarification, Applicant responded

with a statement saying one of the numbers on the bill belonged to Applicant without providing any proof.

44. On both his NIPR and NAIC applications, Applicant did not list his actual personal email. Further, the email addresses between those applications did not match. He listed two different Atlantis email addresses. Applicant only provided his actual personal email address to the Division approximately four months later.

45. Given the foregoing, Applicant should not be issued a nonresident insurance producer license.

IV. ORDER

IT IS THEREFORE ORDERED that:

- A. Applicant Abul H. Zubair's Reissuance Application is denied;
- B. Applicant Abul H. Zubair's Uniform Application for Individual License Registration is denied; and
- C. Applicant Abul H. Zubair remains prohibited from transacting in the business of insurance in Iowa.

SO ORDERED on the 20th day of February, 2024.



DOUGLAS M. OMMEN
Iowa Insurance Commissioner

Respectfully submitted,

Colin Grace

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ATTORNEY FOR THE DIVISION

Copy to:

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Boca Raton, FL 33487
APPLICANT

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 February 20, 2024.

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

Signature: Brooke Hohn
Brooke Hohn