



BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)
)
ANNA M. GARRISON) DIVISION FILE NO.: 85967
)

**DEFAULT ORDER OF REVOCATION, CEASE AND DESIST
AND CIVIL PENALTY**

Now therefore, the Commissioner of Insurance, being fully advised in the premises, issues the following findings of fact, conclusions of law and order of revocation, cease and desist and civil penalty:

Findings of Fact

1. The Division issued Garrison an insurance producer license on November 22, 2011 and assigned national producer number 16471536.
2. Garrison applied for a renewal of her resident insurance producer license to the Division by submitting through the National Insurance Producer Registry a Uniform Application for Individual Insurance Producer License ("Application") on August 4, 2014. In submitting the Application, Garrison designated the Commissioner as an agent for service of process.
3. The Division renewed Garrison's resident insurance producer license on October 1, 2014.
4. On October 6, 2014, the Division was notified by letter that Garrison was terminated for cause by her insurer, State Farm. The stated reason for Garrison's termination was that she failed to follow State Farm guidelines regarding the appropriate manner in which to open a policyholder's premium payment account.

5. On November 12, 2014, the Division sent a letter to Garrison which stated that State Farm had terminated her producer appointment for cause because she failed to follow State Farm's guidelines, in particular the appropriate manner in which to open a policyholder's premium account. Garrison also used her personal Visa gift card to pay policyholder premiums and to establish State Farm Payment Plan ("SFPP") accounts under the recurring monthly payment option for customers who may not have been able to afford the required advance premium for a regular monthly account. A written response to the letter was required on or before November 28, 2014, but as of the date of this filing Garrison has not responded.
6. On December 10, 2014, the Division filed a statement of charges against Garrison.
7. Pursuant to Garrison's consent to service of process, the Commissioner was served with the statement of charges on December 11, 2014. The Commissioner issued a Notice of Hearing scheduling a contested case for February 13, 2015.
8. The Commissioner mailed notification of the statement of charges and the notice of hearing to the last known address provided by Garrison in her licensing record.
9. On December 27, 2014, Garrison accepted the notice of hearing and statement of charges by restricted certified mail delivery from the United States Postal Service.
10. Garrison has not filed an answer, nor any other responsive pleading to the statement of charges.
11. On January 20, 2015, the Insurance Division mailed a motion for entry of default judgment to Garrison's address of record.

12. On January 20, 2015, the Insurance Division received a letter from Garrison that stated, in part:

I have not used my license since September 5, 2014. I am not currently acting or practicing in the insurance field. I have no future plans to return to the insurance filed (sic). I would gladly surrender my license if it pleases the courts.

13. Garrison has not filed any further response to the motion for entry of default judgment.

Conclusions of Law

14. The Commissioner may consider a motion unresisted, if no response is timely filed. 191 IAC 3.15(2). Garrison has not filed a timely written response to the Division's motion for entry of default judgment. The motion is unresisted.

15. 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. 191 IAC 3.22(2). Garrison has not filed an answer and has not resisted the Division's motion for default judgment.

16. Under Garrison's consent to service of process, Garrison was properly served as required by 191 IAC 3.5(1). As a licensed producer, Garrison is required to maintain a current address in her license record. 191 IAC 10.12(2).

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

18. Garrison failed or refused to cooperate in an investigation by the Division in violation of Iowa Code § 522B.11(1)(p) (2013).

19. The violation of Iowa Code Chapter 522B and applicable rules is grounds for revocation, suspension, censure, and/or the imposition of a civil penalty and an order

requiring such person to cease and desist from the acts, methods or practices stated in this statement of charges pursuant to Iowa Code §§ 522B.11 and 522B.17.

20. This hearing procedure was governed by Iowa Code §§ 17A.12, 522B.11 and 522B.17; and 191 IAC Ch. 3.

ORDER

IT IS HEREBY ORDERED that Anna M. Garrison is in Default.

IT IS FURTHER ORDERED that an order of revocation is entered against Anna M. Garrison and her Iowa insurance producer license is hereby REVOKED. The Insurance Division shall take any steps necessary to implement this decision.

IT IS FURTHER ORDERED that Anna M. Garrison shall cease and desist from engaging in any of the acts, methods or practices determined as violations herein or from transacting the business of insurance in this state.

IT IS FURTHER ORDERED that Anna M. Garrison shall pay to the State of Iowa, Insurance Division, a civil penalty in the amount of \$1,000.

Dated this 4th date of February, 2015.



NICK GERHART
Commissioner of Insurance

NOTICE

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.