



BEFORE THE IOWA INSURANCE COMMISSIONER

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IN THE MATTER OF	)	Division Case No. 88260
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NICHOLAS T. RYAN,	)	<b>ORDER FOLLOWING</b>
NPN 8793525,	)	<b>LICENSE SUSPENSION AND</b>
DOB 08/01/XXXX,	)	<b>EXPIRATION</b>
Applicant.	)	

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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 Nicholas T. Ryan for reissuance of an Iowa insurance producer license.

**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 and Iowa Administrative Code Chapter 10, pursuant to Iowa Code § 505.8.
2. Nicholas T. Ryan (“Applicant”) is an individual with a last known mailing address of 1851 260<sup>th</sup> Street, #2, Oskaloosa, Iowa 52577, and a National Producer Number of 8793525.
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 June 27, 2014 until his suspension on September 30, 2015.

6. On July 28, 2015, 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 July 30, 2015, 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 August 10, 2015, the restricted certified mailing was returned to the Division, marked “Return to Sender – Not Deliverable as Addressed – Unable to Forward.”

9. The regular mailing was not returned.

10. On September 30, 2015, the Division issued an order immediately suspending Applicant’s Iowa insurance producer license (“Order for Suspension”). 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.

11. On August 31, 2016, the Applicant’s license expired.

12. On September 10, 2020, the IDR issued a notice of withdrawal of the Certificate of Noncompliance for Applicant (“Withdrawal”).

13. On October 26, 2020, Applicant applied for a nonresident insurance producer license with the Division by submitting through NIPR a Uniform Application for Individual Insurance Producer License (“Uniform Application”).

14. The Division’s Producer Licensing Bureau contacted the Applicant and confirmed he was an Iowa resident and advised him that he would need to re-take his exams prior to being able to apply for licensure.

15. On November 19, 2020, Applicant filed an Iowa insurance producer application for reissuance (“Reissuance Application”), which included a statement that the qualifying debt has been met and the IDR has issued a Withdrawal.

16. In reviewing Applicant’s Reissuance Application and his SBS history, the Enforcement Division discovered that the Applicant had an Iowa address and no longer had a resident license in Wisconsin. The Division cannot re-issue a non-resident license if the producer does not have a resident license.

17. The Applicant had previously been licensed in Wisconsin due to his business address and his employer being located in Wisconsin. The Wisconsin Office of the Commissioner of Insurance (“WI OCI”) is now requiring that applicant live in Wisconsin to be a Wisconsin resident producer or voluntarily surrender his Wisconsin resident license and become an Iowa resident producer. Applicant could then become a Wisconsin non-resident insurance producer if he so chooses. The WI OCI issued a clearance letter regarding the matter. It is attached at Exhibit “A”.

### **III. CONCLUSIONS OF LAW**

18. Iowa Code § 522B.11(1) authorizes a range of disciplinary actions for insurance producers, including suspensions.

19. Iowa Administrative Code rule 191—10.10(7) provides that when a suspension of a producer’s license extends beyond the license expiration date, the license terminates on the license expiration date.

20. Iowa Administrative Code rule 191—10.10(7) provides that a resident producer whose license has been terminated must apply for a new license.

21. Applicant is in compliance with the terms of the Suspension Order and has submitted a Reissuance Application.
22. Applicant has met his burden of establishing that the basis for the suspension, his noncompliance with the IDR, no longer exists.
23. Applicant has satisfied the terms of the suspension order. However, because his license expired before he completed the reissuance application, he will now have to retake any necessary exams and complete any necessary steps with producer licensing in order to obtain a new Iowa resident license.

#### **IV. ORDER**

**IT IS THEREFORE ORDERED** that:

- A. Nicholas Ryan's Reissuance Application is denied;
- B. Nicholas Ryan's Uniform Application for Individual License Registration is denied;
- C. The administrative suspension block is removed from his Iowa licensing record;
- D. Nicholas Ryan shall immediately be permitted to apply for a new Iowa resident license.

Dated this 7th day of December, 2020.

COMMISSIONER OF INSURANCE



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Douglas M. Ommen  
Commissioner of Insurance

Submitted by,

/s/ Lanny Zieman  
Lanny Zieman  
Iowa Insurance Division  
Compliance Attorney  
[lanny.zieman@iid.iowa.gov](mailto:lanny.zieman@iid.iowa.gov)  
(515) 654-6564

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 8th day of December, 2020, the foregoing order was delivered to the United States Postal Service, postage prepaid, for first class mail to:

Nicholas Ryan  
1851 260<sup>th</sup> Street, #2  
Oskaloosa, Iowa 52577

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

[nick.ryan@deltadefense.com](mailto:nick.ryan@deltadefense.com)

/s/ Hilary Foster  
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Hilary Foster  
Iowa Insurance Division