

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)	Division Case No. 108757
)	
DAVID FRANKO)	ORDER REINSTATING LICENSE
NPN 245104,)	AFTER SUSPENSION
DOB 06/20/XXXX,)	
Respondent.)	

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 David Franko for the reinstatement of his Iowa insurance producer license.

I. PARTIES AND JURISDICTION

1. The Commissioner of Insurance, Douglas M. Ommen, directly and through his designees, administers and enforces the provisions of Iowa Code chapter 522B—Iowa Licensing of Insurance Producers Act and Iowa Administrative Code chapter 10—Insurance Producer Licenses and Limited Licenses.

2. David Franko (“Respondent”) is an individual with a last known mailing address of 4606 Deer Shadow Trail, Sioux City, Iowa, and a National Producer Number of 245104.

3. Respondent has filed an application with the Iowa Insurance Division (“Division”) for reinstatement of his suspended license and the Commissioner is authorized to issue this Order pursuant to Iowa Administrative Code rule 191—10.10.

II. FINDINGS OF FACT

4. Respondent is licensed as a resident insurance producer in the State of Iowa.

5. Respondent applied for a resident insurance producer license with the Division by submitting through the National Insurance Producer Registry a Uniform Application, in which he

designated the Commissioner as an agent for service of process. Respondent's insurance producer license will expire on June 30, 2021.

6. On February 12, 2021, the Division mailed Respondent notification of the intent to suspend his license, by both regular first class mail and restricted certified mail, if the Iowa Department of Revenue ("IDR") did not withdraw the Certificate of Noncompliance within 30 days.

7. The notice mailed restricted certified was "Delivered to Agent for Final delivery" on February 18, 2021.

8. The notice mailed regular first class has not been returned to the Division to date.

9. On March 18, 2021, an order was issued by the Division immediately suspending Respondent's insurance producer license ("Suspension Order"). Reinstatement of the Respondent's producer insurance license was contingent upon IDR withdrawing the Certificate of Noncompliance.

10. IDR withdrew the Certificate of Noncompliance on April 2, 2021.

11. On April 8, 2021, Respondent filed an Iowa Insurance Producer Application for Reinstatement as required by Iowa Administrative Code rule 191—10.10.

12. The reinstatement terms of the Suspension Order have been satisfied.

III. CONCLUSIONS OF LAW

13. Iowa Administrative Code 191—10.10(2)(a) states that a producer whose license has been suspended by order may apply to the Commissioner for reinstatement of his or her license by filing an application for reinstatement.

14. Respondent has filed the required application for reinstatement.

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

16. The terms of the Suspension Order issued on March 18, 2021, have been satisfied.

17. Respondent has filed the required application for reinstatement and has alleged facts that demonstrate that the basis of the suspension no longer exists. An order of reinstatement should be issued pursuant to Iowa Administrative Code rule 191—10.10.

IV. ORDER

IT IS THEREFORE ORDERED that:

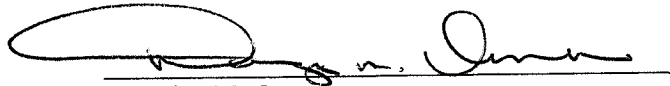
A. Respondent's resident insurance producer license is reinstated; and

B. Respondent shall immediately be permitted to transact and participate in the business of insurance in Iowa.

IT IS FURTHER ORDERED that, pursuant to Iowa Code § 505.8(10), the one hundred dollar (\$100) payment remitted with the application for reinstatement for administrative costs shall be paid to the Iowa Insurance Division Enforcement Fund to provide funds for insurance enforcement and education.

Dated this 14th day of April, 2021.

COMMISSIONER OF INSURANCE



Douglas M. Ommen
Commissioner of Insurance

Respectfully submitted,

/s/Adam Kenworthy
Adam Kenworthy
Iowa Insurance Division
Compliance Attorney
adam.kenworthy@iid.iowa.gov
(515) 654-6562

CERTIFICATE OF SERVICE

County of Polk)
)
State of Iowa)

The undersigned certifies under penalty of perjury that she has entered the above order into the records of the Iowa Commissioner of Insurance and on the 14th day of April, 2021, the foregoing order was delivered to the United States Postal Service, postage prepaid, for first class mail to:

David Franko
4606 Deer Shadow Trl
Sioux City, IA 51106

I further certify that the foregoing order was sent by email to:
david@safemoneybuilder.com & redsoxx9@hotmail.com.

/s/ Hilary Foster
Hilary Foster
Iowa Insurance Division

CC:
Iowa Department of Revenue
Attn: License Sanction
PO Box 10330
Des Moines, IA 50306-0330