

STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION  
BUREAU OF INSURANCE

*In re:*

**Kylee E. Kingsley**

**National Producer No. 17192586**

**Maine License No. PRN231784**

**Docket No. INS- 16-206**

**LICENSE DENIAL and REVOCATION  
NOTICE, ORDER,  
and  
OPPORTUNITY FOR  
HEARING**

***NOTICE TO KYLEE E. KINGSLEY:***

Effective as of **April 15, 2016**, the Maine Superintendent of Insurance denies your October and November 2015 applications to add health and life and health authorities, respectively, and revokes your Maine nonresident insurance producer license. The reasons for the denials and revocation are set forth below:

1. On or around April 23, 2014, you applied for a Maine nonresident producer license with personal lines authority. You answered "Yes" to the following background question on the application form: "Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?" and provided information related to a 1993 felony conviction for receiving stolen property and several other criminal charges. Your Maine nonresident producer license was issued on April 23, 2014.
2. On July 17, 2014, the Bureau of Insurance was notified of two administrative actions taken against you in other states. North Dakota denied your nonresident producer license on July 14, 2014, due to your criminal history. The North Dakota denial constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(I), for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.
3. You failed to report the North Dakota licensure denial to the Maine Superintendent of Insurance as required by 24-A M.R.S. § 1420-P(1), which also constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws.
4. On June 11, 2015, South Dakota revoked your nonresident insurance producer license for the failure to timely report the North Dakota denial and failure to respond to the South Dakota Insurance Division's inquiries. The South Dakota revocation constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(I), for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.

5. You failed to report the South Dakota revocation to the Maine Superintendent of Insurance as required by 24-A M.R.S. § 1420-P(1), which also constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws.
6. On August 3, 2015, the Maine Bureau of Insurance sent you a letter assessing a penalty of \$50 for your failure to timely report the North Dakota and South Dakota actions. You did not respond to that letter or submit payment of the penalty.
7. On September 22, 2015, the Bureau mailed a termination order to your residential address of record. The termination was to be effective October 22, 2015, and was the result of your failure to provide notice to the Bureau of other states' actions as described in paragraphs three and five and your failure to respond to the Bureau's inquiries.
8. On October 22, 2015, the Bureau received an electronic application to add health authority and on November 1, 2015, an electronic application to add life and health authorities. You also answered "No" to background question 1A which reads, "[h]ave you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?", question 1B which reads, "[h]ave you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?", and question 1B1 which reads, "[i]f you have a felony conviction involving dishonesty or breach of trust, have you applied for written consent to engage in the business of insurance in your home state as required by 18 USC 1033?"
9. The application included your "Certification and Attestation" with the statement:  
I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.
10. In your electronic applications to add lines of authority, you failed to disclose the existence of your 1993 felony conviction, your misdemeanor convictions, and a 2014 Ohio Consent to Engage in the Business of Insurance Pursuant to 18 U.S.C. § 1033. This constitutes grounds for denial of your applications for additional lines of authority and revocation of your Maine insurance license under 24-A M.R.S. § 1420-K(1)(A), for providing incorrect, misleading, incomplete, or materially untrue information on your license application.
11. On October 23, 2015, the Bureau sent an email to you requesting information related to your failure to pay the \$50 penalty and failure to disclose your criminal history in your 2015 applications to add additional lines of authority. To date the Bureau has not received a substantive response to its inquiries or payment of the \$50. Your failure to provide the requested documents and required payment constitutes further grounds for the denial of your applications and revocation of your insurance license under 24-A M.R.S. § 1420-K(1)(B), for violating any insurance laws.

Therefore, based upon the above grounds, your application for health and life and health authorities is **denied** and your nonresident producer license is **revoked** as of **April 15, 2016**, pursuant to 24-A M.R.S. §§ 1417 and 1420-K.

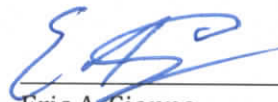
**Under the Maine Insurance Code, specifically 24-A M.R.S. § 1417 and § 1420-K, you have the right to a hearing before the Superintendent or his designee to appeal this denial and revocation. If you request a hearing, you will have the right to present evidence and arguments in your defense. You will bear the burden of proof to show that the Superintendent's denial was not reasonable. With respect to the revocation, the staff of the Bureau of Insurance will bear the burden of proving each violation by a preponderance of the evidence.**

**If you request a hearing, you will receive further communication regarding scheduling. The matters to be determined through the hearing process are the establishment of the above grounds, and the appropriate sanctions, which can include any available remedy under applicable laws, including the imposition of civil penalties.**

**To request a hearing, you must notify the Bureau of Insurance in writing no later than April 15, 2016. If you do not file a written request for a hearing within 30 days from the time you knew or reasonably should have known of this act through this Notice and Order, you will lose your right to request a hearing on this matter. Pursuant to 24-A M.R.S. § 213(3), this Notice from the Superintendent to you shall be deemed to have been given when deposited in a mail depository of the United States Post Office.**

Any request for a hearing, as well as all other communications regarding this Notice, Order, and Opportunity for Hearing must be addressed to Bureau Licensing Attorney Lindsay J. Laxon, Bureau of Insurance, #34 State House Station, Augusta, Maine 04333-0034 (for US Postal Service deliveries) or 76 Northern Avenue, Gardiner, Maine 04345 (for private carrier deliveries, such as FedEx or UPS). You may also reach Ms. Laxon by e-mail at [Lindsay.J.Laxon@maine.gov](mailto:Lindsay.J.Laxon@maine.gov) or by telephone at (207) 624-8429.

March 11, 2016



Eric A. Cioppa  
Superintendent of Insurance