

FILED

February 1st, 2015

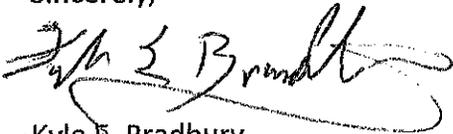
In the matter of ORDER NO. 14-0210, WAOIC# 733657, NPN 6238675: 2015 FEB -4 P 12: 04

I, Kyle E. Bradbury am aggrieved by this action and am requesting a hearing based on RCW 48.04.010. I live in Eastern Washington and am also asking the hearing be held in Spokane for easier travel/accommodations. This action unfairly takes away my ability to earn an income in the insurance industry where I've spent the last 6 years. I know that in the last 6 years I have never once had a claim filed against me and I've spent countless hours dedicated to NAIFA as a local president and member. I believe with this being my first incident the removal of my license is too drastic of a measure.

In regards to Whitman PUD and items 1-8:

I will show at the hearing that they are inaccurate. I worked as an agent for American Family Mutual Insurance Company and, therefore, my office has the authority to bind coverage on the companies behalf. Also, when it was brought to my attention from Whitman PUD I refunded the money. I have proof of a deposit into my premium trust account of the check from Whitman PUD and copies of the refunded check. There is NO PROOF that I, personally, was at fault for the mistake. Also, it is customary for our agents to issue a certificate of insurance once premium is taken. Lastly, my office did run an actual quote or there would be no reason for Whitman PUD to write such a specific amount on the check as to pay the premium in full.

Sincerely,



Kyle E. Bradbury

kbradsducks@gmail.com

509-956-9832

STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER

In The Matter of

KYLE E. BRADBURY,

Licensee.

ORDER NO. 14-0210

WAOIC# 733657
NPN 6238675

ORDER REVOKING LICENSE

To: Kyle E. Bradbury
1105 SE Creekside Dr
College Place, WA 99324

Kyle E. Bradbury
105 South 3rd
Walla Walla, WA 99362

kbradbur@amfam.com

IT IS ORDERED AND YOU ARE HEREBY NOTIFIED that your Washington State insurance producer license is **REVOKED**, effective **November 24, 2014**, pursuant to RCW 48.17.530 and RCW 48.17.540(2).

THIS ORDER IS BASED ON THE FOLLOWING:

1. Kyle E. Bradbury ("Bradbury") is a Washington resident insurance producer, WAOIC No.733657.
2. The Insurance Commissioner conducted an investigation that revealed that Bradbury accepted premium payments from Whitman Planned Unit Development HOA ("Whitman") and failed to provide insurance coverage or apply the premium to an insurance policy.
3. Whitman paid Bradbury a \$1,236 premium for commercial general

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ORDER NO. 14-0210

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State of Washington
Office of Insurance Commissioner
Insurance 5000 Building
PO Box 40255
Olympia, WA 98504-0255

liability coverage for the period between January 2013 and January 2014. In return, Bradbury issued Whitman a Certificate of Liability Insurance and a payment receipt that purportedly identified Whitman's policy number and its insurer. In fact, the policy number identified in the documents belonged to an individual who was not one of Bradbury's customers. Further, there was no evidence that Bradbury started a quote for Whitman in the purported insurer's computer system. This left Whitman uninsured from January 2013 to January 2014.

4. The Insurance Commissioner sent Bradbury several inquiries, to which Bradbury provided only one partial response. In his response, Bradbury stated that he took Whitman's payment and bound coverage for Whitman. Bradbury claimed that he had an employee process Whitman's application and that the employee failed to finalize the process. Bradbury also claimed that the employee generated a declaration page that Bradbury signed and gave to Whitman. Although the Insurance Commissioner specifically asked for the identity of the employee, Bradbury never identified the employee and claimed that the employee no longer worked with him. Bradbury also asserted that it was his practice to deposit premium checks into his premium trust account, but that he never reviews the account.

APPLICABLE LAW:

1. RCW 48.17.530(1) authorizes the Insurance Commissioner to revoke an insurance producer's license for any one or more of the following causes:

- (b) Violating any insurance laws, or violating any rule, subpoena, or order of the Commissioner or of another state's insurance commissioner;
- (d) Improperly withholding, misappropriating, or converting any moneys or properties received in the course of doing insurance business;
- (h) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in this state or elsewhere.

2. By failing to timely respond to the Insurance Commissioner's inquiries, Bradbury violated RCW 48.17.475.

3. By failing to promptly account for and pay premium funds to the person entitled to the funds, Bradbury violated RCW 48.17.480.
4. By failing to account for and maintain premium funds in an account separate from all other business and personal funds, Bradbury violated RCW 48.17.600.
5. By making, issuing, or circulating a misrepresentation of the terms of an insurance policy, Bradbury violated RCW 48.30.090.
6. By collecting premium funds and failing to provide an insurance policy in due course, Bradbury violated RCW 48.30.190(1).
7. By failing to establish and maintain records and an appropriate accounting system for all premiums, Bradbury violated WAC 284-12-080(8).
8. By issuing or circulating a certificate and another document that contains false or misleading information, Bradbury violated WAC 284-30-355.

IT IS FURTHER ORDERED that you return your insurance producer license certificate to the Insurance Commissioner on or before the effective date of the revocation of your license, as required by RCW 48.17.530(4). Return your licenses to:

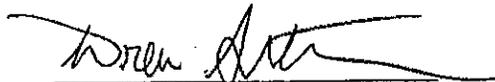
Licensing Manager
Office of the Insurance Commissioner
P. O. Box 40257
Olympia, WA 98504-0257

Executed this 4th day of November, 2014.



MIKE KREIDLER
Insurance Commissioner

By and through his designee



DREW STILLMAN
Insurance Enforcement Specialist
Legal Affairs Division

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State of Washington
Office of Insurance Commissioner
Insurance 5000 Building
PO Box 40255
Olympia, WA 98504-0255

NOTICE OF YOUR RIGHT TO A HEARING

If you are aggrieved by this Order Revoking License, RCW 48.04.010 permits you to demand a hearing. You must demand a hearing in writing within 90 days after the date of this Order Revoking License or you will waive your right to a hearing.

If the Insurance Commissioner receives your demand for a hearing before the effective date listed on the order revoking your license, the revocation will be automatically stayed (postponed) and your license will remain in effect pending the hearing.

Your demand for a hearing should be sent to the following address and must briefly state how you are harmed by this decision and why you disagree with it:

Hearings Unit
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504

You will be notified of the time and place of your hearing. If you have questions about filing a demand for hearing or the hearing process, please telephone the Hearings Unit at (360) 725-7002 or send an email to HearingsU@OIC.wa.gov.

CERTIFICATE OF MAILING

The undersigned certifies under the penalty of perjury under the laws of the state of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served the foregoing **ORDER REVOKING LICENSE** on the following individual via US Mail and Email.

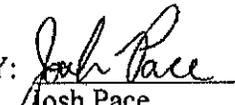
Kyle E. Bradbury
1105 SE Creekside Dr
College Place, WA 99324

Kyle E. Bradbury
105 South 3rd
Walla Walla, WA 99362

kbradbur@amfam.com

Dated this 4th day of November, 2014, in Tumwater, Washington.

SIGNED BY:



Josh Pace
Secretary Senior

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