

MAY 13 2026

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	FINDINGS OF FACT, CONCLUSIONS
)	OF LAW, RECOMMENDED ORDER
PETITIONER,)	AND ORDER
)	
VS.)	CAUSE NO. A-2569
)	
BENNY SELBY,)	
(NAIC Producer #21753431),)	
)	
RESPONDENT.)	

This matter came up for hearing on April 28, 2026, before Megan VanAusdall, a hearing officer duly appointed by the Director of the Nebraska Department of Insurance. The Nebraska Department of Insurance (“Department”) was represented by its counsel, Michael W. Anderson. Benny Selby, (“Respondent”) did not appear and was not represented by counsel. The proceedings were recorded by Shelly Storie, a licensed Notary Public. The Department offered Exhibits 1 and 2 at the hearing, which were received without objection. The Respondent did not offer any exhibits. After the conclusion of evidence, the matter was taken under advisement. The hearing officer makes the following Findings of Fact, Conclusions of Law, and Recommended Order.

FINDINGS OF FACT

1. The Department is the agency of the State of Nebraska charged with licensing insurance producers.

2. Benny Selby, (“Respondent”), is a resident insurance producer in this state, under a National Producer Number (“NPN”) of 21753431. Respondent’s license has a first active date of October 9, 2025, and an expiration date of March 31, 2027. Respondent’s only residential, mailing and business address on file with the Department is 4010 HARNEY STREET, OMAHA, NE 68131, and his registered business and personal email address on file is BENNYSELBY44@OUTLOOK.COM. (Ex. 1, Attachment 1)

3. On or about October 9, 2025, the Respondent, Selby, submitted an application to the Department for a resident insurance producer's license. In his Application, Respondent marked "No" to Background Questions 1a and 1b, which ask if the applicant has any past or current misdemeanor or felony charges or convictions. (Ex. 1, Attachment 2)

4. On or about December 2, 2025, the administrator of the licensing division, Kevin Schlautman ("Schlautman"), conducted a case search of the Nebraska Judicial Branch's statewide trial case management system, known as "JUSTICE," (Judicial User System to Increase Court Effectiveness), an official website of the Nebraska government, which provides access to civil, criminal, traffic, juvenile and probate cases filed in all of this state's county and district courts. The search found records showing the following criminal convictions for Respondent, both out of Holt County, Nebraska:

- a. "Theft-Deception over \$1,500," a class III felony; Respondent entered a plea of "no contest" to this charge on April 30, 2012, and,
- b. "Issue Bad Check - \$500 to less than \$1,500," a class IV felony; Respondent pled guilty to this charge on April 30, 2012. (Ex. 1, Attachment 3)

5. On or about December 2, 2025, Schlautman sent a letter by certified mail, return receipt requested, addressed to Respondent's address on file, requesting a written statement from him regarding the convictions. (Ex. 1, Attachment 4)

6. On or about December 15, 2025, the letter sent to Respondent's address on file, by certified mail, return receipt requested, was returned to the Department marked "RETURN TO SENDER, VACANT, UNABLE TO FORWARD." (Ex. 1, Attachment 5)

7. On or about January 15, 2026, Schlautman sent an email to Respondent's email address of record, repeating the request for a written statement and explanation of Respondent's non-disclosure of prior convictions. (Ex. 1, Attachment 6)

8. As of March 10, 2026, the Respondent has not submitted a written statement to the Department as requested and failed to provide a copy of the relevant legal documents for his two prior criminal convictions. (Ex. 1)

9. On or about March 10, 2026, Shelly Storie ("Storie"), an employee of the Department's Legal Division, served a copy the Petition and Notice of Hearing upon Respondent by mailing the same to Respondent's registered business, mailing and residential address, at 4010 HARNEY STREET, OMAHA, NE 68131, by certified mail, return receipt requested, via regular

mail, and by sending a digital copy as an attachment to an email addressed to Respondent's email address on file, BENNYSELBY44@OUTLOOK.COM. (Ex. 2)

10. On or about March 16, 2026, the letter and associated certified mail return receipt sent to Respondent's address at 4010 HARNEY STREET, was returned by USPS marked "RETURN TO SENDER, VACANT, UNABLE TO FORWARD." (Ex. 2, Attachment 1)

11. On or about April 1, 2026, the letter sent to 4010 HARNEY STREET by regular mail was returned by the USPS marked "RETURN TO SENDER, VACANT, UNABLE TO FORWARD." (Ex. 2, Attachment 2)

12. As of April 28, 2026, Respondent has not provided a response to the letter sent by email on or about March 10, 2026. (Ex. 2)

CONCLUSIONS OF LAW

1. The Department has broad jurisdiction, control, and discretion over the licensing of insurance producers and licensed insurance agencies in the State of Nebraska pursuant to Neb. Rev. Stat. §§ 44-101.01 and 44-4047 to 40-4069.

2. The Department has personal jurisdiction over Respondent.

3. Pursuant to Neb. Rev. Stat. §§44-4059(1), the director may suspend, revoke, or refuse to issue or renew an insurance producer's license or may levy an administrative fine if it is found that the producer has violated any insurance law.

4. Respondent violated Neb. Rev. Stat. § 44-4059(1)(b) and (f), as a result of the conduct found in the Findings of Fact and as evidenced by the relevant exhibits received.

DISCUSSION

At the hearing, the Department presented sufficient evidence of proper service of notice of these proceedings upon Respondent. The Department served Respondent via certified mail, return receipt requested and regular U.S. mail to the Respondent's registered addresses. The Department also provided a Domestic Return Receipt for the notice filings, which, along with the tracking information also provided, confirmation of delivery to the Respondent. Based upon the evidence of record, the Department's service of the petition and notice of hearing upon Respondent at his business,

residential, and mailing addresses of record were sufficient and jurisdiction over the actions of the Respondent in this matter has been established.

The uncontested evidence shows that Respondent violated an insurance law or rule, regulation, or order of the director, namely Neb. Rev. Stat. § 44-4059(1)(f), by failing to disclose his criminal convictions on his Application for an insurance producers license.

These actions constitute a violation of Neb. Rev. Stat. § 44-4059(1)(b) and (f).

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent's resident insurance producer's license be revoked. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling Respondent or the Department of Insurance to make application for such orders as may be necessary.

Dated this 12th day of May 2026.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



Megan VanAusdall #27433
Hearing Officer

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CERTIFICATE OF ADOPTION

I have reviewed the foregoing Findings of Fact, Conclusions of Law, and Recommended Order and hereby certify that the Recommended Order is adopted as the official and final Order of this Department in the matter of State of Nebraska, Department of Insurance vs. Benny Selby, (NAIC Producer #21753431), Cause No. A-2569.

Dated this 13 day of May 2026.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE


Eric Dunning
Director of Insurance

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Findings of Fact, Conclusions of Law, Recommended Order, and Order was served upon the Respondent by mailing a copy to Respondent's registered business, mailing, and residential address, at 4010 HARNEY STREET, OMAHA, NE 68131, via certified mail, return receipt requested, by regular U.S. mail, and by sending copies as an attachment to email addressed to Respondent's registered business and personal email address on file, at BENNYSELBY44@OUTLOOK.COM, on this 13th day of May 2026.

Shelley Stone

