

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

MAY 13 2026

FILED

IN THE MATTER OF THE DENIAL OF
APPLICATION FOR LICENSE FOR
AGU UKAOGO

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FINDINGS OF FACT, CONCLUSIONS OF
LAW, RECOMMENDED ORDER AND ORDER

CAUSE NO. A-2589

This matter came on for hearing on April 29, 2026, before Cheryl Wolff, 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 Anderson. Agu Ukaogo (“Applicant”) appeared and was not represented by counsel. The proceedings were recorded by Shelly Storie, a licensed Notary Public. The Applicant and the Department presented evidence at the hearing, and 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. Applicant is appealing the denial of his applications for a non-resident insurance producer’s license pursuant to Neb. Rev. Stat. §44-4059(1)(f) for having been convicted of a felony or a Class I, II, or III misdemeanor.
3. Applicant applied to become a non-resident licensed insurance producer with the State of Nebraska. On or about April 6, 2026, the Department received an application from the Applicant requesting licensure in the “Life” lines of insurance. In his application, Applicant answered Question 1A and 1B in the affirmative indicating that he had been convicted of a misdemeanor and two felonies. (Ex. 1, Attachment 1). Applicant submitted additional information informing the Department of his criminal convictions as follows:
 - a. A conviction for Theft-deception \$500 to \$1,500 conviction, a class 4 felony, in the District Court of Douglas County, Nebraska. (Ex. 1, Attachment 2).
 - b. A conviction for Issued Bad check- \$500 to less than \$1,500, a Class 4 felony, in the District Court of Douglas County, Nebraska. (Ex. 1, Attachment 2).
 - c. A 2009 conviction for Deposit Account Fraud, a misdemeanor, in Fulton County, Georgia. (Ex. 1, Attachment 2).

4. On or about April 9, 2026, the Department informed the Applicant that his application for an insurance producer license was denied due to Applicant's felony conviction in a letter sent to the address listed in the Application. (Ex. 1, Attachment 4).

5. On or about April 10, 2026, the Department received written correspondence via email from Applicant, pursuant to Neb. Rev. Stat. § 44-4059(2), requesting an administrative hearing regarding the denial of his insurance producer license. (Ex. 7, Attachment 5).

6. On or about April 10, 2026, Applicant was served with a Notice of Hearing by electronic mail to agu.e.ukaogo@gmail.com. (Ex. 2).

7. On April 28, 2026, the Applicant agreed to reschedule the hearing to April 29, 2026. (Ex. 2, Attachment 2).

8. Applicant appeared via WebEx before the Department at an administrative hearing held on April 29, 2026, at approximately 10:00 a.m. (Appearance of Applicant).

9. At the administrative hearing, the Applicant offered his testimony and responded to questions regarding the circumstances of his past convictions. He also offered to submit copies of his current professional real estate and insurance licenses and official records related to his past convictions in Douglas County. Charges were filed in Douglas County in April 1998 and March 1999. (Ex. 3, Attachments 1 and 2, Ex. 4, Ex. 5, and Ex. 6).

10. Applicant testified to explain the circumstances of his prior criminal convictions. His history of writing bad checks and theft by deception were due to his poor choices and he has taken full responsibility for his actions. He paid the court ordered restitution and has since his last conviction in 2009; he has taken significant steps to maintain a law-abiding and responsible life. He has obtained his real estate license and insurance licenses in his resident state of Florida. He also has obtained and maintained non-resident licensure in several additional states. He specifically wants to obtain his insurance license in Nebraska since he still has family and friends in the Omaha area. He is committed to integrity and honesty and hopes his earlier mistake does not keep him from being granted his non-resident license in Nebraska. (Testimony of Applicant).

CONCLUSIONS OF LAW

1. The Department has broad jurisdiction, control, and discretion over the licensing of insurance producers 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 Applicant.

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 for (f) having been convicted of a felony or a Class I, II, or III misdemeanor.

4. If the director does not renew or denies an application for a license, the director shall notify the applicant or licensee and advise, in writing, the applicant or licensee of the reason for the denial or nonrenewal of the applicant's or licensee's license. The applicant or licensee may make written demand upon the director within thirty days for a hearing before the director to determine the reasonableness of the director's action. The hearing shall be held within thirty days and shall be held pursuant to the Administrative Procedure Act, pursuant to Neb. Rev. Stat. §44-4059(2).

DISCUSSION

Applicant's two felony and one misdemeanor convictions constitute a sufficient statutory basis to deny his license applications for a Nebraska resident insurance producer. However, such denial is discretionary, not mandatory. The purpose of the license renewal denial hearing is to determine the reasonableness of the denial. In the context of a proper denial, the hearing gives the applicant the opportunity, and the burden, to show why a license should be granted.

The Applicant testified regarding the circumstances leading to his felony convictions in 1999 and 2000. He also discussed his 2009 misdemeanor conviction in Georgia. While the evidence shows that Applicant was guilty of theft by deception and writing bad checks to obtain property from retail stores without paying for it, he has taken responsibility for his actions, completed restitution and probation, and has maintained employment since that time. He also admits that he chose to commit the crimes and regrets his actions. He has since taken steps to not only be a law-abiding individual, but he also as obtained professional licensure for both real estate and insurance in multiple states since those past convictions. Applicant is requesting to receive his non-resident insurance producer's license to be able to use his insurance knowledge to help his friends and family living in Omaha, Nebraska. Applicant's applications for licensure at this time can be seriously considered, despite Applicant's criminal history, because the record demonstrates the Applicant has been successful in making a change, has successfully been licensed in both the real estate and insurance business since his convictions, and demonstrated a substantial likelihood that Applicant will not re-offend or make decisions that conflict with the ethical standards required of an insurance producer.

The weight of the evidence presented by the Applicant sufficiently supports the finding that the director's action in denying the Applicant's request for license may be overturned without endangering any Nebraska citizens.

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law made herein, it is recommended that the initial decision to deny Applicant's licensure request, while supported by a sufficient evidentiary basis, be OVERTURNED, and that Applicant's request for licensure as a non-resident insurance producer is granted.

Dated this 13th day of May 2026.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

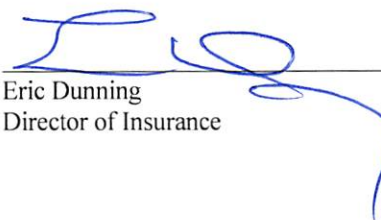

Cheryl Wolff, #22990
Hearing Officer

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 the Denial of Application for License for Agu Ukaogo, Cause No. A-2589.

Dated this 13th 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 Applicant by electronic mail at agu.e.ukaogo@gmail.com. and by mailing a copy to his address 2321 Laguna Circle #901, North Miami Beach, FL 33181. via regular U.S. mail on this 13th day of May 2026.

