

191—100.16(523A) Prohibited activities related to licensing.

100.16(1) *Fraudulent or deceptive acts in procuring a license.* An individual shall not engage in fraudulent or deceptive acts in procuring a preneed seller or sales agent license. Prohibited acts include but are not limited to the following:

- a. False representations of a material fact, whether by conduct or by false or misleading statements.
- b. Concealing or omitting anything that should have been disclosed or included with the application.
- c. Filing a false identification.
- d. Filing an untrue certification or affidavit.
- e. Falsifying documents.

100.16(2) *Prohibited activities by persons without a preneed seller or sales agent license.*

a. A person to whom a license has not been issued by the commissioner, or a person whose license has expired or is restricted, shall not conduct any of the activities for which an active license is required pursuant to Iowa Code chapter 523A or this chapter, including the following:

- (1) Post or display the person's license;
- (2) Use a license certificate or a license number, except in communications with the commissioner;
- (3) Agree to provide any merchandise or services subject to Iowa Code chapter 523A after the date the license expired or became restricted, unless the merchandise or services are provided pursuant to an existing purchase agreement.

b. This subrule does not prohibit payments to an unlicensed person upon the person's delivery of merchandise or services after the death of a beneficiary, including the payment of the proceeds of insurance at the time of death of the insured.

[ARC 2258C, IAB 11/25/15, effective 12/30/15]