

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE
CAUSE NUMBER: 11056-AG12-0503-034

Tony R. Brown,)
Agent / Respondent)
)
4619 S. Prairie Avenue, Apt. 3)
Chicago, IL 60653)
)
Type of Agency Action: Enforcement)
)
)

FILED

JUN 11 2012

STATE OF INDIANA
DEPT. OF INSURANCE

Indiana Insurance License No.: 750667

FINAL ORDER

The Indiana Department of Insurance (“Department”) and Tony R. Brown, (“Respondent”), signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding Respondent’s license, and which has been submitted to the Commissioner of Insurance (the “Commissioner”) for approval.

The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent improperly withheld and misappropriated monies received in the course of doing insurance business.
2. Respondent demonstrated incompetence and financial irresponsibility in the conduct of business in Indiana.
3. Respondent's Indiana resident producer's license, number 750667, is Permanently Revoked.

ALL OF WHICH IS ORDERED this 11th day of June, 2012.


Stephen W. Robertson, Commissioner,
Indiana Department of Insurance

Distribution:

Nikolas P. Mann
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 300
Indianapolis, Indiana 46204-2787

Tony R. Brown
4619 S. Prairie Avenue, Apt. 3
Chicago, IL 60653

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STATE OF INDIANA
DEPT. OF INSURANCE

Indiana Insurance License No.: 750667

AGREED ENTRY

This Agreed Entry is entered into by Nikolas P. Mann, attorney for and on behalf of the State of Indiana, Department of Insurance ("Department"), and Tony R. Brown ("Respondent"), a licensed Indiana non-resident insurance producer holding license number 750667, to resolve all matters under Cause Number 11056-AG12-0503-034. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner, Indiana Department of Insurance.

WHEREAS, Respondent is a licensed non-resident insurance producer in the State of Indiana; and

WHEREAS, on or about March 5, 2012, a letter was received by the Department from Sharon Cumming, a manager for Enterprise Licensing, stating that Respondent no longer represented The Western Southern Life Insurance Company and Western Southern Life Assurance Company. Sharon Cumming attached a copy of a letter that was sent to Respondent indicating the reasons for termination. The letter stated that three (3) clients said that Respondent collected premiums on four (4) policies for a total of five hundred

eighteen dollars and four cents (\$518.04). The letter further stated that company records did not reflect receipt of the funds and two (2) of the clients provided a copy of receipts signed by the Respondent. In another documented case, the client stated she made a semi-annual premium payment on her policy of one hundred forty-three dollars and ninety-four cents (\$143.94) on October 4, 2011, but company records show only seventy-one dollars and ninety-eight cents (\$71.98) was remitted to the office. On November 7 and December 19, 2011, payments for ten dollars (\$10.00) and one hundred fourteen dollars and seven cents (\$114.07) were applied to the client's policy. However, the client said she did not make these two (2) payments and Respondent could not provide the receipts. The letter went on to state that the same client said that Respondent collected an annual premium of fifty dollars (\$50.00) for a second policy in March 2011. However, eight (8) monthly payments were applied instead of the full amount. In regards to both policies, Respondent told the company that he applied the full payments at the time of collection to additional policies that the client maintained. However, Respondent again could not provide the deposit tickets and company records did not substantiate any additional payments made on other policies for the client; and

WHEREAS, the Department and Respondent desire to resolve their differences and settle the issues without a hearing;

IT IS, THEREFORE, NOW AGREED by and between the parties as follows:

1. The Commissioner has jurisdiction over the subject matter and Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives his right to a public hearing on the issues in this action.

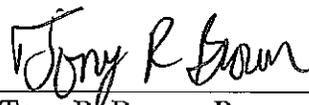
4. Respondent improperly withheld, misappropriated, or converted monies received in the course of doing insurance business.
5. Respondent demonstrated incompetence or financial irresponsibility in the conduct of business in Indiana.
6. Respondent agrees to the permanent revocation of his Indiana non-resident insurance producer license number 750667.
7. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full resolution of this matter.
8. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Agreed Entry by the Commissioner shall not unfairly or illegally prejudice the Commissioner from further participation in or resolution of these proceedings.
9. Respondent has carefully read this agreement and fully understands and accepts its terms.

5/30/12
Date Signed



Nikolas P. Mann, Attorney
Indiana Department of Insurance

5/22/12
Date Signed



Tony R. Brown, Respondent

STATE OF ILLINOIS)
COUNTY OF Cook) SS:

Before me a Notary Public for Cook County, State of Illinois,
personally appeared Tony R. Brown and being first duly sworn by me upon his oath, states
that the facts alleged in the foregoing instrument are true. Signed and sealed this _____
day of May, 2012.



[Handwritten Signature]
Notary Signature
Erika Johnson
Notary Name Printed

My Commission expires: 12/20/2015

County of Residence: Cook

INDIANA DEPARTMENT OF INSURANCE
Enforcement Division
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