

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

Cause No.: 11753-AD12-1130-062

IN THE MATTER OF:)
)
BAIL AGENT LICENSE)
APPLICATION OF:)
)
Darin S. Kinser)
389 Trinton Circle)
Bedford, IN 47421)

FILED
DEC 07 2012
STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE DENIAL

The Indiana Department of Insurance, pursuant to the Indiana Administrative Act, Indiana Code §4-21.5-1 et seq. and Indiana Code §27-10-3-1, hereby gives notice to Darin S. Kinser (“Applicant”) of the following Administrative Order:

1. Applicant filed an application for recovery agent licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on October 30, 2012. Following a review of materials submitted by Applicant in support of his application and further investigation by the Department, the Commissioner, being fully advised, now hereby notifies Applicant that he is not qualified for licensure under Indiana Code §27-10-3-1(d). Specifically, after an administrative hearing held on July 26, 2012, Applicant’s bail agent license application was denied by the Commissioner’s Final Order of November 20, 2012. The Final Order adopted the Administrative Law Judge’s Recommended Order finding, among other things, that Applicant’s failure to disclose the suspensions of his driver’s license on the bail agent license application constituted making material misstatements or misrepresentations, that failing to disclose the driver’s license suspensions was not a true and accurate response to the application question, and that Applicant testified under oath that he had not been sued when in fact he had been sued at least twice which called into question the veracity of his testimony. Under Indiana Code §27-10-3-1(d), the Commissioner may “conduct any reasonable inquiry or investigation the

commissioner sees fit, relative to the determination of the applicant's fitness to be licensed or to continue to be licensed." Applicant has not been truthful on a previous license application and has not been truthful under oath in an administrative hearing relating to the previous license application. The Applicant, therefore, is not fit to be granted a license by the Department.

2. Under Indiana Code §4-21.5-3-7, if you wish to file a petition for review of the Preliminary Administrative Order and Notice of License Denial, you must do so in writing within fifteen (15) days after you receive notice of this Order. Submit your petition to the attention of Investigator Mike Herndon.

IT IS THEREFORE ORDERED that the Applicant's request for licensure is hereby DENIED pursuant to Indiana Code §27-10-3-1.

SO ORDERED this 7th day of December, 2012.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

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