

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE
CAUSE NUMBER: 14095-AG15-0522-135

William Shansky)
2150 S. Andrews Ave)
Fort Lauderdale, FL 33316)
Respondent)
Type of Agency Action: Enforcement)
License Number: 705574)

FILED
JUN 12 2015
STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Brigitte R. Collier, and William Shansky (“Respondent”), a licensed nonresident insurance producer, signed an Agreed Entry which purports to resolve all issues involved in the above-captioned cause number, and which has been submitted to the Commissioner of the Indiana Department 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 shall pay an administrative fine of five hundred dollars (\$500.00) within thirty (30) days after the Commissioner signs this Final Order, for his failure to disclose the withheld adjudication of two Florida misdemeanors on his application for licensure.

ALL OF WHICH IS ORDERED this 12th day of June 2015.



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Brigitte R. Collier, Attorney
Indiana Department of Insurance
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787

William Shansky
2150 S. Andrews Ave
Fort Lauderdale, FL 33316

Certified Receipt Number: 91 7190 0005 2720 0045 1818

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 14095-AG15-0522-135

IN THE MATTER OF:)

William Shansky)
2150 S. Andrews Ave)
Fort Lauderdale, FL 33316)

Respondent)

Type of Agency Action: Enforcement)

Producer's License: 705574)

FILED

JUN 12 2015

STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by and between the Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Brigitte R. Collier, and William Shansky ("Respondent"), to resolve all issues in the above-captioned cause number. This Agreed Entry is subject to the review and approval of the Department's Commissioner, Stephen W. Robertson ("Commissioner");

WHEREAS, the Respondent is a licensed Nonresident Insurance Producer, holding license number 705574;

WHEREAS, on July 01, 2010, Respondent submitted an application for a Nonresident Producer's license;

WHEREAS, on said application, Respondent failed to disclose the withheld adjudication of a 2009 Florida misdemeanor for possession of drug paraphernalia;

WHEREAS, on July 26, 2013, Respondent submitted an application to reinstate his Nonresident producer license;

WHEREAS, on said application, Respondent failed to disclose the withheld adjudication of a 2012 Florida misdemeanor for possession of cannabis,

WHEREAS, the Respondent's actions are in violation of Indiana Code §27-1-15.6-12(b)(1) which states that a producer shall not provide incorrect, misleading, incomplete, or materially untrue information in a license application;

WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve this matter without the necessity of a hearing.

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

1. The Commissioner has jurisdiction over the subject matter and the Parties to this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the Parties.
3. Respondent voluntarily and freely waives the right to a public hearing on the issues in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent shall pay an administrative fine of Five Hundred Dollars (\$500.00) within thirty (30) days after the Commissioner signs the Final Order adopting this Agreed Entry.
6. Should additional violations manifest, further administrative actions will be taken for the new violation.
7. The Department agrees to accept Respondent's compliance with this agreement as full satisfaction of this matter.

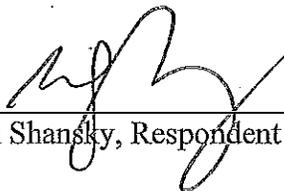
8. Respondent has carefully read and examined this agreement and fully understands and accepts its terms.
9. Respondent has entered into this agreement freely, and has not been subject to duress, threat or undue influence.
10. Should this Agreed Entry not be accepted by the Commissioner, it is agreed 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.
11. Respondent is aware that failure to comply with any terms of this agreement will result in the matter being set for a hearing.

6-10-15
Date Signed



Brigitte R. Collier, Attorney
Indiana Department of Insurance

6/2/15
Date Signed

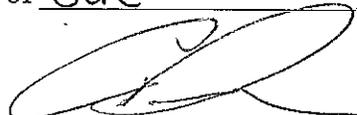


William Shansky, Respondent

STATE OF FLORIDA)
COUNTY OF Broward) SS:

Before me a Notary Public for Broward County, State of Florida personally appeared William Shansky and being first duly sworn by me upon their oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 2 day of June, 2015.



Signature



CHARLES C. DONISI
MY COMMISSION # FF 220671
EXPIRES: August 14, 2019
Bonded Thru Budget Notary Services

Charles Donisi

Printed

My Commission expires: 8-4-19

County of Residence: USA

VIA CERTIFIED MAIL: 9214 8901 0661 5400 0059 1144 26

Indiana Department of Insurance - CONFIDENTIAL
Enforcement Division

To: Douglas J. Webber, Chief of Staff
Cc: Brigitte R. Collier, Attorney
From: Calla Dain, Jr. Investigator, Enforcement Division
Date: June 10, 2015

Re: William Shansky ("Respondent")
Cause No.: 14095-AG15-0522-135

Purpose:

AGREED ENTRY
The purpose of this memo is to request the Commissioner adopt the attached Final Order. The Final Order imposes a five hundred dollar (\$500.00) fine for failing to disclose the withheld adjudication of two (2) misdemeanors on his applications for licensure.

Issue:

Whether a nonresident producer who failed to disclose the withheld adjudication of two (2) misdemeanors on his applications for licensure should be issued a civil penalty.

Facts:

Respondent submitted an application for a nonresident producer license on July 01, 2010. On the application, Respondent failed to disclose the 2009 withheld adjudication of a Florida misdemeanor for possession of drug paraphernalia. Respondent submitted an application to reinstate his nonresident producer license July 26, 2013. On the application, Respondent failed to disclose the 2012 withheld adjudication of a misdemeanor for possession of cannabis.

On or about April 22, 2015 the Enforcement Division was notified by the Licensing Division that Respondent disclosed his criminal history in a renewal application.

On June 10, 2015 Respondent entered in to an Agreed Entry with the Enforcement Division to resolve to violations of Indiana Code.

Analysis:

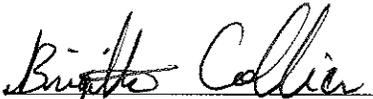
Ind. Code § 27-1-15.6-12(b)(1) authorizes the Commissioner to levy a civil penalty against a producer for providing incorrect, misleading, incomplete, or materially untrue information in a license application.

The Enforcement Division believes no action other than the issuance of a five hundred dollar (\$500.00) fine should be enforced because: (1) these are the only violations at issue, and (2) Respondent is currently licensed in good standing in 33 states.

Recommendation

We request the Commissioner adopt the Final Order that imposes a five hundred dollar (\$500.00) fine for failing to disclose the withheld adjudication of two (2) misdemeanors on his applications for licensure.


Calla Dain, Jr. Investigator


Brigitte R. Collier, Attorney