

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO. 6690-AG08-0919-256

IN THE MATTER OF:)

Tyran Pippen,)
Respondent.)

24352 Berrendo, #4)
Laguna Hills, CA 92656)

Type of Agency Action: Enforcement

Indiana Insurance License No. 523800

FILED

APR 09 2009

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On March 9, 2009, the appointed Administrative Law Judge, John R. Kissling, Jr., filed his Findings of Fact, Conclusions of Law, and Recommended Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of Law, and Recommended Order and Notice of Filing of Recommended Order on Respondent by mailing the same to his home address of record.

2. The Department has complied with the notice requirements of Ind. Code § 4-21.5-3-17.

3. Respondent has not filed an objection with the Commissioner regarding the Administrative Law Judge's Recommended Order, and more than eighteen (18) days have elapsed.

THEREFORE, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order, and issues the following Final Order:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Commissioner of Insurance:

1. Respondent's insurance producer license, #523800, is hereby suspended for a period of one (1) year from the date of this Final Order.

2. Respondent shall pay a civil penalty in the amount of one thousand dollars (\$1,000.00), payable in full within thirty (30) days from the date of this Final Order.

3. Respondent shall submit copies of any orders, consent to orders, or other relevant legal documents relating to both the Wisconsin and South Dakota administrative actions within thirty (30) days from the date of this Final Order.

Under Ind. Code § 4-21.5-5-5, Respondent has the right to appeal this Final Order by filing a petition for judicial review in the appropriate court within thirty (30) days.

ALL OF WHICH IS Ordered by the Commissioner this 9 day of April, 2009.



James Atterholt, Commissioner
Indiana Department of Insurance

Distribution:

Tyran Pippen
24352 Berrendo, #4
Laguna Hills, CA 92656

Robert L. Hummel, Attorney
Indiana Dept. of Insurance
311 W. Washington St., Suite 300
Indianapolis, IN 46204

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BEFORE THE INDIANA
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CAUSE NUMBER: 6690-AG08-0919-256

IN THE MATTER OF:)

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124352 Berrendo #4)
Laguna Hills, CA 92656)

FILED

MAR 09 2009

Indiana Non-Resident License No.: 523800

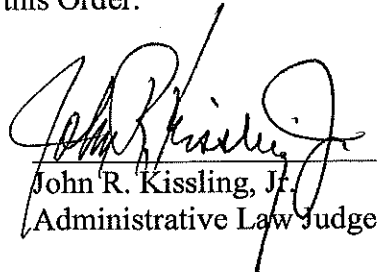
STATE OF INDIANA
DEPT. OF INSURANCE

Type of Agency Action: Enforcement

NOTICE OF FILING OF RECOMMENDED ORDER

The parties of this action are hereby notified that the Administrative Law Judge's Findings of Fact, Conclusions of Law and Recommended Order are deemed filed as of this date.

To preserve an objection to this order for judicial review, you must object to the order in a writing that: 1) identifies the basis for your objection with reasonable particularity; and 2) is filed with the Commissioner of the Department of Insurance within eighteen (18) days from the date of this Order.



John R. Kissling, Jr.
Administrative Law Judge

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 6690-AG08-0919-256

IN THE MATTER OF:

Tyran Pippen
Respondent

124352 Berrendo #4
Laguna Hills, CA 92656

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MAR 09 2009

STATE OF INDIANA
DEPT. OF INSURANCE

Indiana Non-Resident License No.: 523800

Type of Agency Action: Enforcement

FINDINGS OF FACT, CONCLUSIONS OF LAW
AND RECOMMENDED ORDER

Administrative Law Judge, John R. Kissling, Jr., having considered and reviewed all of the evidence, will now render a decision in the matter of Respondent Tyran Pippen ("Respondent"), which came to be heard on the 9th day of December, 2008 at 10:26 a.m. in the second floor conference room at the offices of the Indiana Department of Insurance ("Department").

The Indiana Department of Insurance was represented by counsel, Robert Hummel. Respondent was not present and unrepresented by counsel. Witnesses testified under oath, evidence was heard, and exhibits were received into evidence.

Based upon the evidence presented at said hearing, the Administrative Law Judge now makes the following Findings of Fact and Conclusions of Law, and issues his Recommended Order as follows:

FINDINGS OF FACT

1. Respondent has an non-resident producer license, license number 523800.
2. Respondent was sent notification of the first hearing date and time by U.S. Certified Mail #7005 3110 0002 4440 6232; Notice was returned marked unclaimed/unable to forward. The hearing was rescheduled for the December 9, 2008 hearing.
3. Respondent was sent proper notification of the rescheduled hearing date and time by U.S. Certified Mail #7004 1160 0000 3839 5218; Notice was delivered on October 31st. (Exhibit G).
4. On March 25, 2008, Respondent sent a letter to the department notifying of an administrative action taken against his license in the State of Wisconsin. Respondent stated "I've had an action in Wisconsin that resulted out of me sending an automated response to questions about the status of my child support." (Exhibit A).
5. On April 8, 2008, the Department sent a certified letter to Respondent requesting he report to the Commissioner any administrative action taken in another jurisdiction including a copy of the order, consent to order, or other relevant legal documents. The Department also imposed a fine of two hundred and fifty (\$250.00) dollars, and required, to avoid further action, a list of appointments by August 29, 2008. (Exhibit B).
6. The April 8th letter was left on two occasions and returned to the Department unclaimed by Respondent. (Exhibit C).

7. On May 29, 2008 the Department followed up with a letter to Respondent by regular mail. (Exhibit D).
8. On or about August 4, 2008 Respondent faxed to the Department, a copy of an e-mail exchange between Respondent and Arlyn Henken, Compliance Analyst at Veterinary Pet Insurance Company. The fax included a printout from the Wisconsin Office of the Commissioner of Insurance showing the following Adjudicated Administrative Actions; adjudicated date 10/5/07; actions license denied on 8/30/07; allegations failing to respond promptly to inquiries from OCI and failing to pay past child support due. The fax also included a copy of an e-mail exchange between Respondent and the South Dakota Division of Insurance showing the Respondent signed a consent order and paid a \$250.00 monetary penalty. The South Dakota Division of Insurance considers their matter closed as of March 6, 2007 pursuant to SDCL 1-26-20.” (Exhibit E).

CONCLUSIONS OF LAW

1. The Commissioner of Insurance has jurisdiction over both the subject matter and the parties to this action.
2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code.
3. The Commissioner has the discretionary authority to revoke the Respondent’s license to sell insurance and to fine Respondent.
4. Service of process was completed via the use of the United States Mail in compliance with the statute and due process requirements.
5. The Department has met its burden in showing by a preponderance of the evidence that

Respondent's conduct is contrary to the Indiana Insurance Code and that disciplinary action to include revocation of Respondent's license is in order.


6. The Respondent did not report the offenses occurring in Wisconsin and South Dakota within thirty (30) days to the Department.
7. Findings of Fact that can be adopted as Conclusions of Law are hereby incorporated herein as such.

RECOMMENDED ORDER

With the Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the Commissioner of Insurance the following:

1. Respondent's insurance license #523800 should be suspended for a period of one (1) year from the date of the Commissioner's Final Order.
2. Respondent should be ordered to pay a civil penalty in the amount of one thousand dollars (\$1,000.00), payable in full within thirty (30) days after the date of the Commissioner's Final Order.
3. Respondent should submit copies of any orders, consent to orders, or other relevant legal documents relating to both the Wisconsin and South Dakota administrative actions within thirty (30) days after the date of the Commissioner's Final Order.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner this 9th day of March, 2009.



John R. Kissling, Jr.
Administrative Law Judge

Distribution:

Tyran Pippen
24352 Berrendo, #4
Laguna Hills, CA 92656

Robert L. Hummel, Attorney
Indiana Department of Insurance
311 West Washington St., Suite 300
Indianapolis, IN 46204

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FILED
SEP 23 2008
STATE OF INDIANA
DEPT. OF INSURANCE

Type of Agency Action: Enforcement

Indiana Insurance License No. 523800

STATEMENT OF CHARGES

The Enforcement Division of the Indiana Department of Insurance ("the Division"), pursuant to the Indiana Orders and Procedures Act, Ind. Code §4-21.5-1-1 *et seq.* and Ind. Code §27-1-15.6-17(a), hereby gives notice to Tyran Pippen ("Respondent") of the following charge:

COUNT I

1. Respondent is a licensed non-resident insurance producer, holding license number 523800.
2. On March 25, 2008, the Division received notification from Respondent that he had an administrative action taken against his producer license by the state of Wisconsin but he did not provide the date or any supporting documents. *See Exhibit "A" attached hereto.*
3. On April 8, 2008, the Division sent Respondent a letter by certified mail advising him that he was in violation of Ind. Code §27-1-15.6-17(a) and he could settle

the matter by paying a fine of two hundred and fifty dollars (\$250.00) within ten (10) business days of his receipt of the letter. *See Exhibit "B" attached hereto.*

4. The certified letter of April 8, 2008 was returned to the Division by the U.S. Postal Service, marked "return to sender, unclaimed, unable to forward." *See Exhibit "C" attached hereto.*

5. On May 29, 2008, the April 8, 2008 letter was sent again to Respondent by regular first class mail. *See Exhibit "D" attached hereto.*

6. On August 5, 2008, the Division received a faxed letter from Respondent including a copy of his Wisconsin license information showing that his license was denied on August 30, 2007 and there was an adjudication on October 5, 2007. *See Exhibit "E" attached hereto.*

7. The August 5, 2008 faxed letter also included a copy of an e-mail to Respondent from Cindy Koupal, Division Counsel of the South Dakota Division of Insurance, referring to a two hundred and fifty dollar (\$250.00) penalty paid by Respondent on April 23, 2007 and a Consent Order signed by Respondent. *See Exhibit "E" attached hereto.*

8. Respondent did not submit copies of any orders, consent to orders, or other relevant legal documents relating to either the Wisconsin or South Dakota administrative actions as required by Ind. Code §27-1-15.6-17(a).

9. On August 7, 2008, the Division sent a letter to Respondent advising him that he was in violation of Indiana law and giving him the opportunity to submit all documents relating to the Wisconsin and South Dakota administrative actions and pay a fine of two hundred and fifty dollars (\$250.00) no later than August 29, 2008 and the

Enforcement file would be closed with no further action. *See Exhibit "F" attached hereto.*


10. To date, Respondent has not responded to the August 7, 2008 letter.

11. Respondent's failure to submit proper documentation of administrative actions taken against his producer license within thirty (30) days, as alleged herein, is a violation of Ind. Code §27-1-15.6-17(a).

12. Under Ind. Code §27-1-15.6-12(b)(2)(A), the Commissioner has the authority to, among other things, levy a civil penalty and suspend an insurance producer's license for violation of an insurance law.

WHEREFORE, the Division, by its counsel, Robert L. Hummel, requests that the Commissioner levy a civil penalty of at least one thousand dollars (\$1,000.00); suspend Respondent's Indiana insurance license for a period of at least one (1) year; require Respondent to promptly submit all documents relating to the Wisconsin and South Dakota administrative actions; and all other relief just and proper in the premises.

Respectfully submitted,

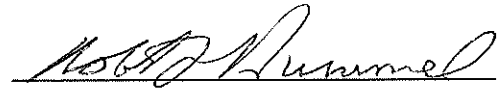

Robert L. Hummel
#20936-49

Indiana Department of Insurance
311 W. Washington Street, Suite 300
Indianapolis, IN 46204
(317) 232-2385 - telephone
(317) 232-5251 - facsimile

CERTIFICATE OF SERVICE

This is to certify that the foregoing has been served upon Respondent Tyran Pippen by depositing a copy of same in the United States Mail, first class postage prepaid, this 22nd day of September, 2008.

Tyran Pippen
24352 Berrendo, #4
Laguna Hills, CA 92656


Robert L. Hummel
Attorney #20936-49

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