

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO. 8153-AG09-0917-207

IN THE MATTER OF:

Adrian G. Rangel,
Respondent.

P.O. Box 170035
Chicago, IL 60617

Type of Agency Action: Enforcement

Indiana Insurance License No. 505999

FILED

MAR 10 2010

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On February 11, 2010, 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 last known address.

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.

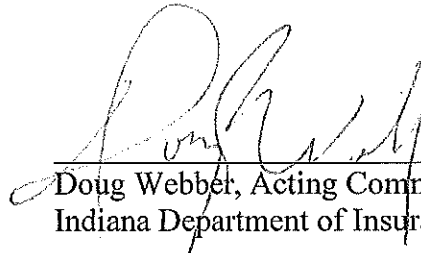
THEREFORE, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order, and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent's insurance producer license, #505999, is hereby suspended for a period of six (6) months from the date of this Final Order.
2. Respondent shall inform the Department in writing of his current address within thirty (30) days after the date of this Final Order.
3. Respondent shall pay a civil penalty in the amount of five hundred dollars (\$500.00), payable in full 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 12th day of March, 2010.


Doug Webber, Acting Commissioner
Indiana Department of Insurance

Distribution:

Adrian G. Rangel
P.O. Box 170035
Chicago, IL 60617

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


Via Certified Mail, Return Receipt Requested
#7005 3110 0002 4438 0372

CERTIFICATE OF SERVICE

This is to certify that the foregoing has been served upon Respondent Adrian G. Rangel, by depositing a copy of same in the United States Mail, first class postage prepaid, this 25th day of August, 2010.

Adrian G. Rangel
P.O. Box 5964
Chicago, IL 60680

Adrian G. Rangel
2516 Schrage Ave.
Whiting, IN 46394



Robert L. Hummel
Attorney #20936-49

Indiana Department of Insurance
311 W. Washington St., Suite 300
Indianapolis, IN 46204

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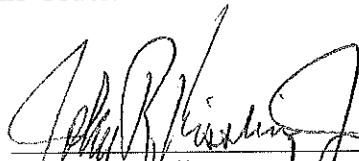
Type of Agency Action: Enforcement

Indiana Insurance License No. 505999

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:
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BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO. 8153-AG09-0917-207

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STATE OF INDIANA
DEPT. OF INSURANCE

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 Adrian G. Rangel ("Respondent"), which came to be heard on the 12th day of November, 2009 at 10:11 a.m. in the second floor conference room at the offices of the Indiana Department of Insurance ("Department"), 311 W. Washington St., Indianapolis, Indiana.

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. Adrian G. Rangel ("Respondent") is a licensed Indiana resident insurance producer, holding license number 505999.
2. Respondent was properly notified of the above hearing date and time by U.S. Mail sent to Respondent's last known address.
3. The original hearing date for this matter was set for October 21, 2009 but there was no evidence that the certified Notice of Hearing was received by Respondent and the U.S. Postal Service had no record of the certified mail. *Transcript, pp. 7-8.*
4. The hearing was reset for November 12, 2009 and the Notice of Hearing was sent to Respondent's last known address via certified mail and first class mail. *Transcript, p. 8.*
5. The U.S. Postal Service had no record of the second certified Notice of Hearing but the first class Notice of Hearing sent on October 23, 2009, was not returned to the Department as undeliverable. *Transcript, p. 8.*
6. On April 3, 2009, the Enforcement Division ("Division") sent Respondent a letter to his address of record in West Lafayette, Indiana regarding a child support arrearage. *Exhibit A.*
7. The April 3, 2009 letter was returned by the U.S. Postal Service as undeliverable. *Exhibit B.*
8. On June 8, 2009, the Division received information from the Department of Child Services of a new address for Respondent in Chicago, Illinois. *Exhibit C.*
9. On June 8, 2009, the Division sent a letter to Respondent at the address in Chicago by both first class mail and certified mail informing him that he had failed to

notify the Department of his change of address within thirty (30) days after the change and offering to settle the matter with the payment of a one hundred dollar (\$100.00) fine within ten (10) days. *Exhibit D.*

10. The June 8, 2009 certified letter was returned to the Division by the U.S. Postal Service on September 30, 2009 and marked "unclaimed." *Exhibit F.*

11. The information contained in the Sircon database, printed on November 10, 2009, shows Respondent's address to be the one in West Lafayette, Indiana with no change of address being submitted by Respondent and no changes to Respondent's address information since November 2006. *Exhibit G.*

12. Respondent's child support arrearage was addressed to the satisfaction of Tippecanoe County and the probation of his insurance producer license was vacated on September 17, 2009. *Exhibit G.*

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 and all procedures and rules set forth by such Act have been followed in this matter.

3. Service of process was completed via the use of the United States Mail in compliance with the statute and due process requirements.

4. The Division has met its burden of proof and shown by a preponderance of the evidence that Respondent has failed to notify the Department of his change of address within thirty (30) days, as required by law.

5. Ind. Code §27-1-15.6-12(b)(17) states that the Commissioner may revoke or suspend an insurance producer license and impose a civil penalty for failure to timely inform the Commissioner of a change of address.

6. Findings of Fact that can be adopted as a Conclusion of Law are hereby incorporated herein as such.

RECOMMENDED ORDER

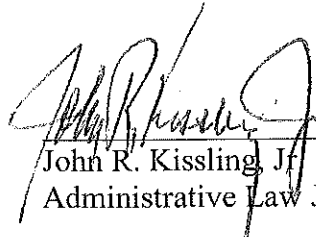
With the Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the Commissioner of Insurance the following:

1. Respondent's Indiana insurance producer license should be suspended for a period of six (6) months from the date of the Commissioner's Final Order.

2. Respondent should be required to inform the Department in writing of his current address within thirty (30) days after the date of the Commissioner's Final Order.

3. Respondent should be required to pay a civil penalty to the Department in the amount of five hundred dollars (\$500.00), due in full 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 11th day of February, 2010.



John R. Kissling, Jr.
Administrative Law Judge

Distribution:

Adrian G. Rangel
P.O. Box 170035
Chicago, IL 60617

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

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BEFORE THE INDIANA
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STATE OF INDIANA
DEPT. OF INSURANCE

Indiana Insurance License No. 505999

STATEMENT OF CHARGES

The Enforcement Division of the Indiana Department of Insurance ("Division"), pursuant to the Indiana Orders and Procedures Act, Ind. Code §4-21.5-1-1 *et seq.*, Ind. Code §§27-1-15.6-7, and 27-1-15.6-12, hereby gives notice to Adrian G. Rangel ("Respondent") of the following charge:

FACTS

1. Respondent is a licensed resident insurance producer, holding license number 505999.

2. On April 3, 2009, the Division sent Respondent a letter to his address of record in West Lafayette, Indiana concerning a child support arrearage. *See Exhibit "A" attached hereto.*

3. The April 3, 2009 letter was returned to the Division by the U.S. Postal Service and marked "return to sender, not deliverable as addressed, unable to forward." *See Exhibit "B" attached hereto.*

4. On June 8, 2009, the Division was advised by the Department of Child Services that, according to their records, the last known address for Respondent was a post office box in Chicago, Illinois. *See Exhibit "C" attached hereto.*

5. On June 8, 2009, the Division sent a letter to Respondent at the Chicago address via both first class and certified mail informing him that he had failed to submit a change of address to the Department and offering to settle the matter with the payment of a one hundred dollar (\$100.00) fine payable within ten (10) business days. *See Exhibit "D" attached hereto.*

6. On June 11, 2009, the U.S. Postal Service left notice of the June 8, 2009 certified letter at Respondent's Chicago address but there is no indication that the certified letter was delivered. *See Exhibit "E" attached hereto.*

7. The June 8, 2009 letter sent via first class mail was not returned to the Division by the U.S. Postal Service as undeliverable.

8. To date, Respondent has not responded to the June 8, 2009 letter and has not submitted a change of address to the Department.

COUNT I

9. The Division hereby incorporates by reference paragraphs 1 through 8 of the Statement of Charges as if fully set forth herein.

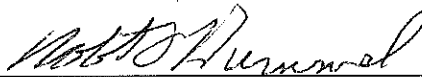
10. Respondent failed to notify the Department of his change of address within thirty (30) days after the change as required by Indiana law.

11. Respondent's conduct, as alleged herein, is a violation of Ind. Code §27-1-15.6-7(h).

12. Under Ind. Code §27-1-15.6-12(b)(17), the Commissioner may impose a civil penalty, place an insurance producer on probation, suspend an insurance producer's license, revoke an insurance producer's license for a period of years, permanently revoke an insurance producer's license, or refuse to issue and renew an insurance producer license for failing to timely inform the Commissioner of a change of address.

WHEREFORE, the Department, by its counsel, Robert L. Hummel, requests that the Commissioner impose a civil penalty of at least five hundred dollars (\$500.00); suspend Respondent's insurance producer license for a period of at least six (6) months; and all other relief just and proper in the premises.

Respectfully submitted,



Robert L. Hummel


#20936-49

Indiana Department of Insurance
311 W. Washington St., Suite 300
Indianapolis, IN 46204
317 232-5063 - telephone
317 234-5882 - facsimile

CERTIFICATE OF SERVICE

This is to certify that the foregoing has been served upon Respondent Adrian G. Rangel, by depositing a copy of same in the United States Mail, first class postage prepaid, this 17th day of September, 2009.

Adrian G. Rangel
P.O. Box 170035
Chicago, IL 60617


Robert L. Hummel
Attorney #20936-49

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