

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 9392-AG10-1221-185

Anthony Gray, )  
Respondent )  
 )  
11555 Creekside Lane E. )  
Carmel, IN 46033 )  
 )  
Type of Agency Action: Enforcement )  
 )  
 )  
Indiana Resident Producer License No. 360039 )

**FILED**

APR 04 2011

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER AND APPROVAL**

The Indiana Department of Insurance (“Department”) and Anthony Gray (“Respondent”), licensed resident Indiana Insurance producers, signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding the issuance of Applicant’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’s insurance producer license # 360039 is hereby permanently revoked.

2. Respondent shall pay an administrative fine of two thousand five hundred and twenty seven dollars and seventy three cents (\$2,527.73) within thirty (30) days of the date of this Final Order.

ALL OF WHICH IS ORDERED this 4<sup>th</sup> day of April, 2011.

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Laura A. Levenhagen  
**INDIANA DEPARTMENT OF INSURANCE**  
311 West Washington Street, Suite 300  
Indianapolis, Indiana 46204-2787

Anthony Gray  
11555 Creekside Lane E.  
Carmel, IN 46033

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 9392-AG10-1221-185

IN THE MATTER OF: )  
Anthony Gray )  
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Respondent )  
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1155 Creekside Lane East )  
Carmel, IN 46033 )  
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Type of Agency Action: Enforcement )

**FILED**

APR 04 2011

STATE OF INDIANA  
DEPT. OF INSURANCE

Indiana Resident Producer License No. 360039

**AGREED ENTRY**

This Agreed Entry is executed by Laura A. W. Levenhagen, Attorney for and on behalf of the Indiana Department of Insurance ("Department"), and Anthony Gray ("Respondent"), a resident title insurance producer, to resolve all issues in the above captioned matter. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner, Indiana Department of Insurance (the "Commissioner").

WHEREAS, Respondent is a resident title insurance producer in the State of Indiana, holding license number 360039; and

WHEREAS, Respondent was at all times relevant hereto employed by Trustworthy Land Title Co. Inc ("Trustworthy") a licensed resident title agency; and

WHEREAS, the Department alleges Respondent began working in the capacity of a licensed title agent for Trustworthy in late April 2010 and accepted commission payment for the sale of title insurance for a transaction that closed on April 30, 2010; and

WHEREAS, Respondent submitted an application for an Indiana title producer license to the Department on May 11, 2010; and

WHEREAS, Respondent's license application was denied June 9, 2010 for failing to comply with a court order under Indiana Code §27-1-15.6-12(b)(13) and for failing to disclose two administrative actions previously taken against Respondent on his license application in violation of Indiana Code §27-1-15.6-12(b)(1, 3, & 9); and

WHEREAS, the Department alleges despite not holding an Indiana title producer license and being informed that his application for said license had been denied, Respondent continued acting as a licensed agent for Trustworthy and received commission payments for title insurance transaction that closed between May 1, 2010 and August 4, 2010; and

WHEREAS, the Department alleges Respondent acted as the closing agent for transaction closing on July 6, 26, and 30 of 2010 while not being licensed to do so; and

WHEREAS, the Department alleges that at Respondent's August 5, 2010 license denial hearing Respondent was dishonest under oath by denying that his employment at Trustworthy included the solicitation of insurance; and

WHEREAS, the Department alleges that despite being aware that his license application had been denied and the hearing pertaining to that denial had not yet concluded, Respondent continued acting as a licensed title agent for Trustworthy, and

received commission payments for title insurance transaction that closed between August 10, 2010 and September 21, 2010; and

WHEREAS, the Department alleges Respondent acted as the closing agent for transactions closing on August 10, 16, 18, 23, 26, 31, and September 3, 9, 10, 16, and 20 of 2010 while not being licensed to do so; and

WHEREAS, the hearing on Respondent's license denial reconvened on September 22, 2010 at which time additional testimony was heard and additional evidence was submitted; and

WHEREAS, at the conclusion of the September 22 hearing the Administrative Law Judge stated "...the Finding of the Court will be a recommendation to the Commissioner, who I guess could overrule me, but I will recommend that you be give a probationary license..."; and

WHEREAS, Respondent was not issued a license at the September 22 hearing, and the Administrative Law Judge did not submit his recommendation to the Commissioner until November 22, 2010; and

WHEREAS, the Department alleges that despite not having been issued a license following the June 9, 2010 denial of his application, Respondent continued acting as a licensed title agent for Trustworthy, and received commission payments for title insurance transaction that closed between September 22 and October 22, 2010, and earned, but was not paid, commissions for title insurance transaction that closed between November 3 and 24, 2010; and

WHEREAS, the Department alleges Respondent acted as the closing agent for transactions closing on September 24, 29, and 30, October 4, 4, 7, 8, 13, 15, 18, 19, 21, 27, and 29, and November 3, 5, 8, 10, 12, 16, 17, and 24 of 2010 while not being licensed to do so; and

WHEREAS, on December 1, 2010 Respondent received a letter from the Department stating that no Final Order had been issues granting him a license and he was not yet a licensed agent; and

WHEREAS, the Department alleges that despite having received the aforementioned letter, Respondent continued acting as a licensed title agent for Trustworthy, and earned, but was not paid, commission for title insurance transaction that closed between December 7 and 22, 2010; and

WHEREAS, the Department alleges Respondent acted as the closing agent for transactions closing on December 9, 10, 15, and 21 of 2010 while not being licensed to do so; and

WHEREAS, A Final Order granting Respondent a license following the denial of his May 11, 2010 application was issued on December 21, 2010 and a license was issued on December 30, 2010.

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

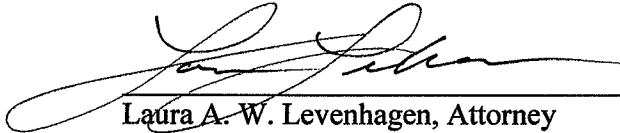
1. The Commissioner has jurisdiction over the subject matter and Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.

3. Respondent voluntarily and freely waives the right to a public hearing in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent does not admit or deny the allegations made by the Department.
6. Respondent agrees that his Indiana producer license, number 360039, shall be permanently revoked.
7. Respondent agrees to pay the amount of two thousand five hundred and twenty seven dollars and seventy three cents (\$2,527.73) in a manner consistent with Indiana Code Section 27-1-15.6-12(b) et al within thirty (30) days from the date the commissioner signs the final order in this matter.
8. The Department agrees to accept Respondent's compliance with the agreement herein as full satisfaction of this matter.
9. Respondent has carefully read and examined this agreement and fully understands its terms.
10. Respondent has entered into this agreement freely, and has not been subject to duress, threat or undue influence.
11. 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.

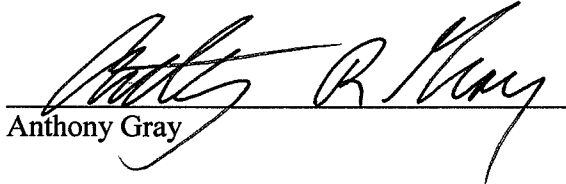
12. Respondent is aware that failure to comply with any term of this agreement will result in the matter being set for hearing.

13. Respondent is aware is aware that a Final Order issued as a result of this agreement would constitute a reportable Administrative Action that may be required to be disclosed on future professional licensing applications and to all states where Respondent holds professional licenses.

3.16.11  
Date Signed

  
\_\_\_\_\_  
Laura A. W. Levenhagen, Attorney  
Indiana Department of Insurance

3/16/11  
Date Signed

  
\_\_\_\_\_  
Anthony Gray



STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

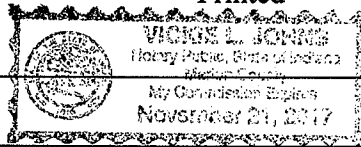
Before me a Notary Public for MARION County, State of  
Indiana, personally appeared Anthony Gray, and being first duly sworn by me upon his  
oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 16<sup>th</sup> day of MARCH, 2011.

Vickie L. Johns  
Signature

VICKIE L. JOHNS  
Printed

My Commissioner expires:



County of Residence:

MARION