

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 9738-AG10-1215-168

IN THE MATTER OF:)
)
Timothy D. Barnett)
)
5308 N. Richardt Ave)
Indianapolis, IN 46226)
)
Producer License Number: 456476)
)
Type of Action: Enforcement)

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STATE OF INDIANA
DEPT. OF INSURANCE

ADMINISTRATIVE ORDER
NOTICE OF NONRENEWAL OF LICENSE

The Indiana Department of Insurance, pursuant to the Indiana Administrative Act, Indiana Code 4-21.5-1 et seq. and Indiana Code § 27-1-15.6-12, hereby gives notice to Timothy D. Barnett (“Respondent”) of the following Administrative Order:

1. Indiana Code § 27-1-15.6-12(b) provides that “The commissioner may levy a civil penalty, place an insurance producer on probation, suspend an insurance producer’s license, revoke and insurance producer’s license for a period of years, permanently revoke an insurance producer’s license, or refuse to issue or renew an insurance producer license, or take any combination of these actions, ...”.

2. Indiana Code § 27-1-15.6-12(d) provides that when the Commissioner refuses to renew a license, the Commissioner shall notify the Respondent, in writing, of the reasons for the nonrenewal.

3. Respondent was a licensed resident insurance producer within the State of Indiana, holding license number 456476.

4. Respondent's license expired on September 30, 2010.

5. The Respondent was the subject of a complaint by an Indiana consumer alleging the misappropriation of premiums. The consumer stated that the Respondent had received their premiums for a policy with Travelers Insurance, but had failed to secure coverage. The policy with Travelers was terminated for failure to pay premiums.

6. On November 23, 2010, the Department was notified by Travelers Insurance that the Respondent had been terminated for cause.

7. Respondent was arrested by Indianapolis Metropolitan Police Department on November 11, 2010. Respondent was subsequently charged with: Misappropriation of Title Insurance Escrow Funds, a class D felony; Theft, a class D felony; and Insurance Fraud, a class D felony.

8. On December 15, 2010, Respondent was served with an Emergency Cease and Desist Order by the Commissioner.

8. On May 26, 2011, Respondent pled guilty to Theft, a class D Felony in the Marion County Circuit Court, Indiana, under cause number 49-F09-1011-FD-085102.


9. Respondent was ordered to pay restitution to the Complainant.

WHEREFORE, based on the foregoing, the Commissioner of Insurance hereby notifies Respondent that **Respondent's license shall not be renewed.**

WHEREFORE, the Commissioner further notifies Respondent that pursuant to Indiana Code §27-1-15.6-12(d), within sixty (60) days of receiving this Notice, Respondent may make a written demand upon the Commissioner for a hearing to determine the reasonableness of this

action. Such a hearing shall be held within thirty (30) days from the date of receipt of Respondent's written demand.

11-1-11
Date Signed


Stephen W. Robertson
Commissioner
Indiana Department of Insurance

CERTIFIED MAIL NUMBER: 7005 3110 0002 4444 1806