

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 12528-CO13-1009-019

IN THE MATTER OF:

Auto Care Insurance
2100 Luna Road, Suite 140
Carrollton, TX 75006

Respondent.

No License

Type of Action: Enforcement

FILED

NOV 12 2013

STATE OF INDIANA
DEPT. OF INSURANCE

ORDER GRANTING
EMERGENCY CEASE AND DESIST ORDER

The Ultimate Authority in this Matter, Wade D. Fulford, having been vested the final authority of the Indiana Department of Insurance (the "Department") by the Commissioner of the Indiana Department of Insurance ("Commissioner"), having now reviewed the Enforcement Division's Motion for Emergency Cease and Desist Order, and being otherwise duly advised, now finds as follows:

FINDINGS OF FACT

1. Respondent has never been licensed in Indiana to sell, solicit, or negotiate insurance.
2. In September 2013, Respondent or its agents/employees sold, solicited or negotiated insurance in Indiana.

3. Neither Respondent nor its agents/employees have ever been appointed to act as an agent for State Farm Automobile Insurance Company ("State Farm").

4. In September 2013, Respondent or its agents/employees acted as an agent for State Farm.

CONCLUSIONS OF LAW

1. The Department is authorized to regulate the practice of insurers in Indiana under Indiana Code 27-1 *et seq.*

2. The Department may hold disciplinary hearings in accordance with Indiana Code 4-21.5-3 and 4.

3. An emergency exists in that Respondent, or its agents/employees, have and continue to sell, solicit or negotiate insurance to Indiana insurance consumers without a license, in violation of Indiana Code § 27-1-15.6-3(a).

4. An emergency exists in that Indiana citizens are in danger of being misled that Respondent and its agents/employees are properly licensed in Indiana.

5. A separate and distinct emergency exists in that Respondent, or its agents/employees, have and continue to act as agents for State Farm, without having been appointed with State Farm, in violation of Indiana Code § 27-1-15.6-14.

6. An emergency exists in that Indiana citizens are in danger of being misled that Respondent and its agents/employees are appointed with State Farm.

7. In an emergency, an authorized individual or panel may issue appropriate orders without notice or an evidentiary proceeding under Indiana Code 4-21.5-4-2(a).

ORDER

It is, therefore, ORDERED, that Respondent, and its agents/employees, CEASE AND DESIST from:

1. selling, soliciting, or negotiating insurance in Indiana;
2. holding out themselves as licensed to sell, solicit, or negotiate insurance in Indiana;
3. acting as an agent of an insurer without becoming an appointed producer of that insurer in Indiana.

Pursuant to Indiana Code 4-21.5-4-5, this order remains effective until the date Respondent, and its agents/employees, obtain an Indiana insurance license.

Respondent is hereby notified of his right to a hearing concerning this order as quickly as practicable under Indiana Code 4-21.5-4-4. The purpose of such a hearing is to determine whether this Order should be voided, modified, stayed, or continued.

INDIANA DEPARTMENT OF INSURANCE

11/12/13
Date

Wade D. Fulford
Wade D. Fulford
Designated Ultimate Authority in this Matter

CERTIFIED MAIL # 9214 8901 06061 5#00 0024 6048 91
RETURN RECEIPT REQUESTED

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