

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER:12013-AG14-0314-032

IN THE MATTER OF: )  
 )  
MICHAEL ROBERT VOLTS, )  
 )  
Producer / Respondent. )  
 )  
License No.: 841314 )  
 )  
837 Crestview Circle )  
 )  
Weston, FL 33327 )  
 )  
Type of Action: Enforcement )

**FILED**

FEB 06 2015

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

On August 25, 2014, the Administrative Law Judge, Rueben B. Hill, filed his Second Proposed Default Order in the above-captioned matter.

1. The Department served the Second Proposed Default 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. Neither party has filed an objection with the Commissioner regarding the Administrative Law Judge's Second Proposed Default 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 Second Proposed Default Order and issues the following Final Order:

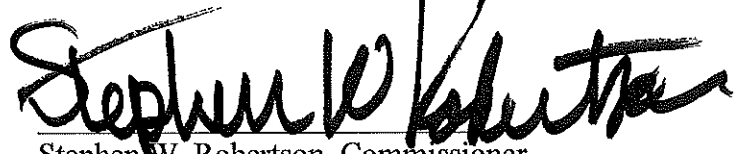
IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent's Producer Insurance License Number: 841314 is permanently revoked.

2. Respondent is to pay a civil penalty in the amount of Two Hundred Fifty Dollars and no/100 (\$250.00) per violation, for a total civil penalty of One Thousand Seven Hundred Fifty Dollars and no/100 (\$1,750.00) within ninety (90) days.

Under Ind. Code §4-21.5-5-5, Applicant 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 6<sup>th</sup> day of February, 2015.

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Copies to:

Michael R. Volts  
873 Crestview Circle  
Weston, Florida 33327

Joshua Harrison  
Indiana Department of Insurance  
Enforcement Division  
311 West Washington Street, Suite 103  
Indianapolis, IN 46204-2787

STATE OF INDIANA )  
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COUNTY OF MARION )

BEFORE THE INDIANA  
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CAUSE NO: 12013-AG14-0314-032

MICHAEL ROBERTS VOLTS, )  
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837 Crestview Circle )  
Weston, Florida 33327 )  
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Type of Action: Enforcement )

**FILED**

SEP 11 2014

STATE OF INDIANA  
DEPT. OF INSURANCE

**DEFAULT ORDER**

Pursuant to Indiana Code § 4-21.5-3-24 and Ind. Code § 4-21.5-3-27, the Administrative Law Judge in this matter issues the following Default Order:

**Findings of Fact**

1. Respondent, a nonresident insurance producer, holds license number 841314 (“Respondent’s license”).
2. On May 1, 2014, the Enforcement Division of the Indiana Department of Insurance (the “Department”) filed its Statement of Charges against Respondent.
3. A hearing on the allegations asserted in the Statement of Charges was set for and held on June 18, 2014 at 1:30 P.M.
4. Respondent failed to appear or participate in that June 18, 2014 hearing.
5. On July 8, 2014, this Court issued a Proposed Default Order sent to the address of record via certified mail number 9214 8901 0661 5400 0035 7364 44 and the mail piece was returned unclaimed.

6. On August 25, 2014, this Court issued a Second Proposed Default Order sent to the address of record via certified mail number 9214 8901 0661 5400 0038 7513 83 and as of today's date is unclaimed.
7. Respondent has failed to file a written motion responding to the Proposed Default Order.

#### **Violations of Indiana Insurance Law**

8. Respondent has been subject to the following administrative actions:
  - a. On May 13, 2013, the South Carolina Department of Insurance revoked Respondent's non-resident insurance producer license;
  - b. On May 24, 2013 the Wyoming Department of Insurance also revoked Respondent's non-resident insurance producer license; and,
  - c. Finally, on January 11, 2014, the Delaware Department of Insurance revoked Respondent's non-resident producer license.
9. Respondent has failed to report any of the above-mentioned actions to the Commissioner.

#### **Conclusions of Law**

1. The Commissioner has jurisdiction over both the subject matter and the parties to this action.
2. This hearing was held in compliance with the Indiana Administrative Orders and Procedures Act, codified at Ind. Code § 4-21.5 *et seq.*
3. Pursuant to Ind. Code § 4-21.5-324(a)(2), if a party fails to attend or participate in a hearing, the administrative law judge may serve upon all parties written notice of a proposed default order.

4. Respondent failed to attend or participate in the June 18, 2014 hearing and such a Proposed Default Order was served upon all parties.
5. Pursuant to Ind. Code § 4-21.5-3-24(c), if a party has failed to file a written motion within seven (7) days of receipt of the Proposed Default Order, the administrative law judge shall issue the default order.
6. Pursuant to Ind. Code § 4-21.5-3-24(d), after issuing a default order, the administrative law judge shall conduct any further proceedings necessary to complete the proceeding without the participation of the party in default.
7. Regardless of whether the administrative law judge is the ultimate authority, the order disposing of the proceeding must comply with Ind. Code § 4-21.5-3-27(a).
8. Pursuant to Ind. Code § 27-1-15.6-12(b)(9), the Commissioner may revoke a producer's license and impose a civil penalty if the producer has had an insurance producer license, or its equivalent, revoked in any other state, province, district or territory.
9. Respondent has had an insurance producer license, or its equivalent, revoked in three (3) states: South Carolina, Wyoming, and Delaware.
10. Each revocation is a separate and distinct cause for disciplinary action under Ind. Code § 27-1-15.6-12(b)(9).
11. Additionally, pursuant to Ind. Code § 27-1-15.6-12(b)(2)(A), the Commissioner may revoke a producer's license and impose a civil penalty if the producer violates an insurance law. Such an insurance law is Ind. Code § 27-1-15.6-17(a).
12. Pursuant to Ind. Code § 27-1-15.6-17(a), a producer shall report to the Commissioner, not more than thirty (30) days after the final disposition, any administrative action

taken against the producer in another jurisdiction.

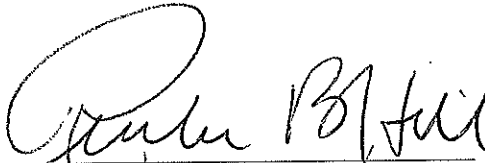
13. Respondent failed to report any of the three (3) above-mentioned revocations and thus, each failure is a separate and distinct cause for disciplinary action under Ind. Code § 27-1-15.6-12(b)(2)(A).
14. Finally, pursuant to Ind. Code § 27-1-15.6-12(b)(8), the Commissioner may revoke a producer's license and impose a civil penalty if the producer used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.
15. Respondent has established a practice of not reporting administrative actions to agencies regulating the business of insurance. Such conduct is demonstrative of incompetence or untrustworthiness in the conduct of business. Thus, Respondent is subject to disciplinary action under Ind. Code § 27-1-15.6-12(b)(8).
16. Findings of Fact than can be adopted as Conclusions of Law are hereby incorporated herein as such.

#### **Recommended Order**

Having found Respondent to be in default, and based on the above Findings of Fact and the Conclusions of Law, Administrative Law Judge Reuben B. Hill now recommends to the Commissioner the following:

1. The permanent revocation of Respondent's license; and
2. The imposition of a civil penalty against Respondent in the amount of One Thousand Seven Hundred Fifty Dollars and no/100 (\$1,750.00), due within ninety (90) days of the Final Order.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner this 11<sup>th</sup> day of Sept, 2014.

  
Reuben B. Hill,  
Administrative Law Judge

This Notice has been sent to:

Michael R. Volts  
837 Crestview Circle  
Weston, Florida 33327

Michael F. Mullen  
Kim Green  
Indiana Department of Insurance  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO: 12013-AG14-0314-032

MICHAEL ROBERTS VOLTS, )  
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Producer / Respondent )  
License No.: 841314 )  
 )  
837 Crestview Circle )  
Weston, Florida 33327 )  
 )  
Type of Action: Enforcement )

**FILED**

MAY 01 2014

STATE OF INDIANA  
DEPT. OF INSURANCE

**STATEMENT OF CHARGES**

The Enforcement Division of the Indiana Department of Insurance (the "Department"), by counsel, Michael F. Mullen, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.*, files its Statement of Charges against Respondent Michael Robert Volts ("Respondent"), as follows:

**FACTS**

1. Respondent, a nonresident insurance producer, was granted insurance producer license number 841314 on September 21, 2012 ("Respondent's Indiana license").
2. Respondent has failed to report several administrative actions taken against previously-held licenses in other jurisdictions.
3. Specifically, the following administrative actions were taken against Respondent:
  - a. A May 13, 2013 Order revoking his South Carolina non-resident insurance producer license;
  - b. A May 24, 2013 Default Order revoking his Wyoming non-resident producer license; and,



- c. A January 11, 2014 Order revoking his Delaware non-resident producer license.
4. To date, Respondent has not reported any of the above-mentioned actions to the Commissioner.
5. Respondent's Indiana license is scheduled to expire April 30, 2015.

**COUNT I – South Carolina License Revocation**

6. Averments 1 through 5 are incorporated fully herein by reference.
7. Respondent's insurance producer license, or its equivalent, was revoked in South Carolina.
8. Respondent's conduct, as alleged herein, is cause for disciplinary action in accordance with Indiana Code § 27-1-15.6-12(b)(9).

**COUNT II – Failure to Report South Carolina License Revocation**

9. Averments 1 through 8 are incorporated fully herein by reference.
10. Pursuant to Indiana Code § 27-1-15.6-17(a), a producer shall report to the Commissioner, not more than thirty (30) days after the final disposition, any administrative action taken against the producer in another jurisdiction.
11. Respondent failed to report the revocation of his South Carolina license within thirty (30) days of May 13, 2013. In doing, Respondent violated an insurance law.
12. Respondent's conduct, as alleged herein, is cause for disciplinary action in accordance with Indiana Code § 27-1-15.6-12(b)(2)(A).

**COUNT III – Wyoming License Revocation**

13. Averments 1 through 12 are incorporated fully herein by reference.

14. Respondent's insurance producer license, or its equivalent, was revoked in Wyoming.

15. Respondent's conduct, as alleged herein, is cause for disciplinary action in accordance with Indiana Code § 27-1-15.6-12(b)(9).

**COUNT IV – Failure to Report Wyoming License Revocation**

16. Averments 1 through 15 are incorporated fully herein by reference.

17. Pursuant to Indiana Code § 27-1-15.6-17(a), a producer shall report to the Commissioner, not more than thirty (30) days after the final disposition, any administrative action taken against the producer in another jurisdiction.

18. Respondent failed to report the revocation of his Wyoming license within thirty (30) days of May 24, 2013. In doing, Respondent violated an insurance law.

19. Respondent's conduct, as alleged herein, is cause for disciplinary action in accordance with Indiana Code § 27-1-15.6-12(b)(2)(A).

**COUNT V – Delaware License Revocation**

20. Averments 1 through 19 are incorporated fully herein by reference.

21. Respondent's insurance producer license, or its equivalent, was revoked in Delaware.

22. Respondent's conduct, as alleged herein, is cause for disciplinary action in accordance with Indiana Code § 27-1-15.6-12(b)(9).

**COUNT VI – Failure to Report Delaware License Revocation**

23. Averments 1 through 22 are incorporated fully herein by reference.

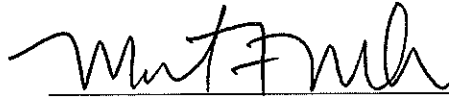
24. Pursuant to Indiana Code § 27-1-15.6-17(a), a producer shall report to the Commissioner, not more than thirty (30) days after the final disposition, any administrative action taken against the producer in another jurisdiction.
25. Respondent failed to report the revocation of his Delaware license within thirty (30) days of January 11, 2014. In doing, Respondent violated an insurance law.
26. Respondent's conduct, as alleged herein, is cause for disciplinary action in accordance with Indiana Code § 27-1-15.6-12(b)(2)(A).

**COUNT VII – Lack of Fitness**

27. Averments 1 through 26 are incorporated fully herein by reference.
28. Respondent used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere. Specifically, Respondent established a practice of not reporting license revocations to the Commissioner.
29. Respondent's conduct, as alleged herein, is cause for disciplinary action in accordance with Indiana Code § 27-1-15.6-12(b)(8).

**WHEREFORE**, the Enforcement Division of the Indiana Department of Insurance, by counsel, Michael F. Mullen, requests that the Commissioner appoint an administrative law judge and set this matter for hearing; and/or issue an order permanently revoking Respondent's insurance license; impose a fine in the amount of Two Hundred Fifty Dollars and no/100 (\$250.00) per violation; and for all other necessary and appropriate relief.

Respectfully submitted,



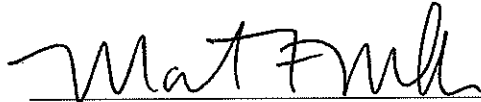
Michael F. Mullen, #30395-49  
Attorney, Enforcement Division

Michael F. Mullen, Esq.  
Indiana Department of Insurance  
Enforcement Division  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787  
Telephone: (317) 232-5153  
Facsimile: (317) 232-5251

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Statement of Charges has been served upon the following Respondent by United States first class mail, postage prepaid, this 30<sup>th</sup> day of APRIL, 2014.

Michael R. Volts  
837 Crestview Circle  
Weston, Florida 33327



Michael F. Mullen

STATE OF INDIANA )  
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COUNTY OF MARION )

BEFORE THE INDIANA  
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Producer / Respondent. )  
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License No.: 841314 )  
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837 Crestview Circle )  
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Weston, FL 33327 )  
 )  
Type of Action: Enforcement )

**FILED**

AUG 25 2014

STATE OF INDIANA  
DEPT. OF INSURANCE

**SECOND PROPOSED DEFAULT ORDER**

Pursuant to Indiana Code § 4-21.5-3-24, the Administrative Law Judge in this matter issues the following Second Proposed Default Order and the following statement of the grounds in support thereof:

1. On July 8, 2014, a Proposed Default Order was issued in this matter and mailed via certified mail number 9214 8901 0661 0035 7364 44.
2. The postal carrier tasked with delivering said Proposed Default Order has misplaced the parcel, making it impossible to confirm delivery.
3. In order to comply with the notice requirements of Ind. Code § 4-21.5-3 *et seq.*, this Second Proposed Default Order is issued as follows:
4. Respondent, a nonresident insurance producer, has held license number 841314 since September 21, 2012 (“Respondent’s license”).
5. On May 1, 2014, the Enforcement Division of the Indiana Department of Insurance (the “Department”) filed its Statement of Charges against Respondent. The

Department's Statement of Charges alleges that Respondent has had his insurance producer license, or its equivalent, revoked in South Carolina, Wyoming, and Delaware. The Department asserts that each revocation accounts for a separate cause of action under Ind. Code §27-1-15.6-12(b)(9).

6. The Department's Statement of Charges further alleges that Respondent failed to report said revocations within thirty (30) days of each final disposition. The Department asserts that each failure to report these final dispositions accounts for three (3) separate violations of Ind. Code §27-1-15.6-17(a), and therefore, accounts for three (3) separate causes of action under Ind. Code § 27-1-15.6-12(b)(2)(A).

7. Finally, the Department's Statement of Charges alleges that Respondent established a practice of not reporting license revocations to the Commissioner. The Department asserts that this practice accounts for a cause of action under Ind. Code § 27-1-15.6-12(b)(8).

8. The Department complied with the notice requirements set forth in Ind. Code § 4-21.5-3 *et seq.* and a hearing on the abovementioned issues in the Statement of Charges was set for and held on June 18, 2014 at 1:30 P.M.

9. Respondent failed to appear or participate in the June 18, 2014 hearing.


10. Pursuant to Ind. Code § 4-21.5-3-24(a)(2), if a party fails to attend or participate in a hearing, the administrative law judge may serve upon all parties written notice of a proposed default order. This Second Proposed Default Order is notice of such an order.

WHEREFORE, the Administrative Law Judge in this matter hereby gives notice that, if Respondent fails to file a written motion under 4-21.5-3-24(b), a Default Order shall be issued with recommendations that the Commissioner take the following actions:

1. Permanently revoke Respondent's license; and
2. Impose against Respondent a civil penalty in the amount of Two Hundred Fifty Dollars and no/100 (\$250.00) per violation, for a total civil penalty of One Thousand Seven Hundred Fifty Dollars and no/100 (\$1,750.00) within ninety (90) days of the Final Order.

ALL OF WHICH IS ORDERED this 25<sup>th</sup> day of August,  
2014.

Dated: 8-25-14

  
Reuben B. Hill,  
Administrative Law Judge  
Indiana Department of Insurance

This Notice has been sent to:

Michael R. Volts  
873 Crestview Circle  
Weston, Florida 33327

Michael F. Mullen, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204

CERTIFIED MAIL #: 9214 8901 0661 5460 0038 7513 83  
RETURN RECEIPT REQUESTED

STATE OF INDIANA )  
 ) SS:  
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BEFORE THE INDIANA  
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CAUSE NUMBER:12013-AG14-0314-032

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Type of Action: Enforcement )

**FILED**

**JUL 08 2014**

**STATE OF INDIANA  
DEPT. OF INSURANCE**

**PROPOSED DEFAULT ORDER**

Pursuant to Indiana Code § 4-21.5-3-24, the Administrative Law Judge in this matter issues the following Proposed Default Order and the following statement of the grounds in support thereof:

1. Respondent, a nonresident insurance producer, has held license number 841314 since September 21, 2012 (“Respondent’s license”).
2. On May 1, 2014, the Enforcement Division of the Indiana Department of Insurance (the “Department”) filed its Statement of Charges against Respondent. The Department’s Statement of Charges alleges that Respondent has had his insurance producer license, or its equivalent, revoked in South Carolina, Wyoming, and Delaware. The Department asserts that each revocation accounts for a separate cause of action under Ind. Code §27-1-15.6-12(b)(9).
3. The Department’s Statement of Charges further alleges that Respondent failed to report said revocations within thirty (30) days of each final disposition. The



Department asserts that each failure to report these final dispositions accounts for three (3) separate violations of Ind. Code §27-1-15.6-17(a), and therefore, accounts for three (3) separate causes of action under Ind. Code § 27-1-15.6-12(b)(2)(A).

4. Finally, the Department's Statement of Charges alleges that Respondent established a practice of not reporting license revocations to the Commissioner. The Department asserts that this practice accounts for a cause of action under Ind. Code § 27-1-15.6-12(b)(8).

5. The Department complied with the notice requirements set forth in Ind. Code § 4-21.5-3 *et seq.* and a hearing on the abovementioned issues in the Statement of Charges was set for and held on June 18, 2014 at 1:30 P.M.

6. Respondent failed to appear or participate in the June 18, 2014 hearing.

7. Pursuant to Ind. Code § 4-21.5-3-24(a)(2), if a party fails to attend or participate in a hearing, the administrative law judge may serve upon all parties written notice of a proposed default order. This Proposed Default Order is notice of such an order.

WHEREFORE, the Administrative Law Judge in this matter hereby gives notice that, if Respondent fails to file a written motion under 4-21.5-3-24(b), a Default Order shall be issued with recommendations that the Commissioner take the following actions:

1. Permanently revoke Respondent's license; and
2. Impose against Respondent a civil penalty in the amount of Two Hundred Fifty Dollars and no/100 (\$250.00) per violation, for a total civil penalty of One Thousand Seven Hundred Fifty Dollars and no/100 (\$1,750.00) within ninety (90) days of the Final Order.

ALL OF WHICH IS ORDERED this 8<sup>th</sup> day of July,  
2014.

Dated: July 8, 2014

Reuben B. Hill  
Reuben B. Hill,  
Administrative Law Judge  
Indiana Department of Insurance

This Notice has been sent to:

Michael R. Volts  
873 Crestview Circle  
Weston, Florida 33327

Michael F. Mullen, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204

CERTIFIED MAIL #: 9214 8901 0661 5400 0035 7364 44  
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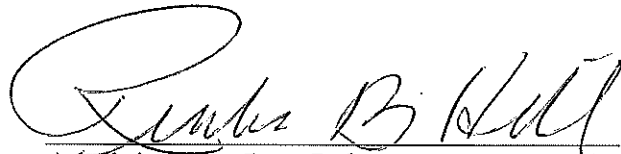
**FILED**  
MAY 19 2014  
STATE OF INDIANA  
DEPT. OF INSURANCE

**ORDER**

The Enforcement Division of the Indiana Department of Insurance (the "Department"), by counsel, having filed its Motion to Continue Hearing Date, and the Administrative Law Judge, being duly advised hereby finds that said motion should be GRANTED.

IT IS THEREFORE ORDERED that the hearing scheduled for May 14, 2014 at 1:00 p.m. is VACATED and rescheduled for the 18<sup>th</sup> day of June, 2014 at 1:30 A.M. (P.M.)

Dated: 5-19-14

  
Administrative Law Judge

Distribution:

Michael F. Mullen  
INDIANA DEPARTMENT OF INSURANCE  
311 West Washington Street, Suite 300  
Indianapolis, IN 46204

Michael R. Volts  
837 Crestview Circle  
Weston, Florida 33327