

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

Cause No.: 14728-AD15-1109-048

IN THE MATTER OF: )  
 )  
INSURANCE PRODUCER LICENSE )  
APPLICATION OF: )  
 )  
Brian M. Failla, )  
2022 NE 19th St Apt 3R )  
Fort Lauderdale, FL 33305 )

**FILED**

NOV 24 2015

STATE OF INDIANA  
DEPT. OF INSURANCE

**PRELIMINARY ADMINISTRATIVE ORDER**  
**AND NOTICE OF LICENSE DENIAL**

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 Brian M. Failla (“Applicant”) of the following Administrative Order:

1. Applicant filed an application for licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on September 21, 2015.
2. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code §27-1-15.6-8 and Indiana Code §27-1-15.6-12.
3. Indiana Code §27-1-15.6-12(b) provides, in part, that the Commissioner may refuse to issue or renew an insurance producer’s license for having been convicted of a felony, having an insurance producer’s license revoked, for providing incorrect, misleading, incomplete, or materially untrue information in a license application, and for violating an insurance law.
4. Following a review of materials submitted by Applicant in support of his application, the Commissioner being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure as stated by Indiana Code §27-1-15.6-12 due to his

October 12, 2005 convictions for Driving while License Revoked and Poss/Sell/Deliver Methamphetamine, both 3rd Degree Felonies, and his failure to disclose this information in his 2009 application for licensure. Additionally, Applicant was subject five (5) administrative actions of which three (3) were license revocations that he failed to timely report to the Department.

5. Indiana Code §27-1-15.6-12(d) provides that the applicant or licensee may, not more than sixty-three (63) days after notice of denial of the applicant's application or non renewal of the licensee's license is mailed, make written demand to the commissioner for a hearing before the commissioner to determine the reasonableness of the commissioner's action.

**IT IS THEREFORE ORDERED** that the Applicant's request for licensure is hereby DENIED pursuant to Indiana Code §27-1-15.6-12(b).

11/24/15  
Date Signed

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Brian M. Failla  
2022 NE 19th St, Apt 3R  
Fort Lauderdale, FL 33305

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