

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

Cause Number: 15206-AG16-0405-084

Mark A. Westerhouse)
3138 Shadow Brook Dr)
Indianapolis, IN 46254)
)
Applicant)
)
Type of Agency Action: Enforcement)
)
Application ID: 525696)

FILED

MAY 13 2016

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Enforcement Division of the Indiana Department of Insurance (“Department”) by counsel Brigitte R. Collier, and Mark A. Westerhouse (“Applicant”), an Applicant for an Indiana Resident Producer license, signed an Agreed Entry which purports to resolve all issues involved in the above-captioned cause number, and which has been submitted to the Commissioner of the Indiana Department 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, attached, 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. Applicant’s license will be granted and placed on probation for a period of one (1) year due to the Applicant failing to disclose his April 15, 2015 misdemeanor conviction for illegal consumption of an alcoholic beverage on an application for licensure.

2. Should any violations of Title 27 of Indiana Code occur during the period of probation, the Department shall seek immediate revocation of Applicant's license in addition to any other sanctions for the new violation.

ALL OF WHICH IS ORDERED this 13 day of May 2016.


Stephen W. Robertson,
Commissioner
Indiana Department of Insurance

Distribution:

Calla Dain, Insurance Investigator
Indiana Department Of Insurance
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787

Mark A. Westerhouse
3138 Shadow Brook Dr
Indianapolis, IN 46214

Certified Receipt Number: 91 7190 0005 2720 0059 3488

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE
Cause Number: 15206-AG16-0405-084

IN THE MATTER OF:)
)
Mark A. Westerhouse)
3138 Shadow Brook Dr)
Indianapolis, IN 46214)
)
Applicant)
)
Type of Agency Action: Enforcement)
)
Application ID: 527392)

FILED
MAY 13 2016
STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by and between the Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel Brigitte R. Collier, and Mark A. Westerhouse (“Applicant”), to resolve all issues in the above-captioned cause number. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner of the Indiana Department of Insurance (“Commissioner”).

WHEREAS, on March 25, 2016, Applicant submitted an application for a Resident Producer’s license;

WHEREAS, on said license application, Applicant failed to disclose his April 15, 2015 misdemeanor conviction for illegal possession of an alcoholic beverage;

WHEREAS, the Applicant’s conduct is a violation of Indiana Code § 27-1-15.6-12(b)(1), which states that an applicant shall not provide incorrect, misleading, incomplete, or materially untrue information in a license application;

WHEREAS, the Department and Applicant (collectively, the "Parties") desire to resolve this matter without the necessity of a hearing.


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

1. The Commissioner has jurisdiction over the subject matter and the Parties to this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the Parties.
3. Applicant voluntarily and freely waives the right to a public hearing on the issues in this matter.
4. Applicant voluntarily and freely waives the right to judicial review of this matter.
5. Applicant's license will be granted and placed on probation for a period of one (1) year during which time any violations of Title 27 will result in the Department seeking immediate revocation of Applicant's license.
6. Should additional violations manifest, this revocation shall be in addition to any administrative actions for the new violation.
7. The Department agrees to accept Applicant's compliance with this agreement as full satisfaction of this matter.
8. Applicant has carefully read and examined this agreement and fully understands its terms.
9. Applicant has entered into this agreement freely, and has not been subject to duress, threat or undue influence.
10. 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.


11. Applicant is aware that failure to comply with any of the terms of this agreement will result in the matter being set for a hearing.

5/5/16
Date Signed



Brigitte R. Collier, Attorney
Indiana Department of Insurance

5-2-16
Date Signed

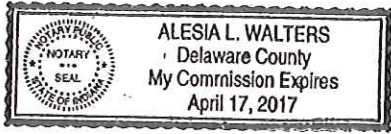


Mark A. Westerhouse, Applicant

STATE OF INDIANA)
) SS:
COUNTY OF Hamilton)

Before me a Notary Public for Hamilton County, State of Indiana personally appeared Mark A. Westerhouse, 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 2nd day of May, 2016.



Alesia L Walters
Signature

Alesia L Walters
Printed

My Commission expires: 04-17-2017

County of Residence: Delaware