

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

Cause No.: 15751-AD16-1018-084

IN THE MATTER OF:)
)
INSURANCE PRODUCER LICENSE)
APPLICATION OF:)
)
Kimberly Spears)
4000 Fort Campbell Blvd Suite D3)
Hopkinsville, KY 42240)
)
Application ID: 557311)

FILED

OCT 21 2016

STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE DENIAL

The Indiana Department of Insurance, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code §4-21.5-1 *et seq.* and Indiana Code §27-1-15.6-12, hereby gives notice to Kimberly Spears (“Applicant”) of the following Administrative Order:

1. Applicant submitted an application for licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on October 3, 2016.
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)(6) provides, in part, that the Commissioner may refuse to issue or renew an insurance producer license for having been convicted of a felony.
4. Indiana Code §27-1-15.6-12(b)(8) provides, in part, that the Commissioner may refuse to issue or renew an insurance producer license for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility.

5. Following a review of materials which were submitted in the application, the Commissioner, being fully advised, now hereby notifies Applicant that she has not fully met the requirements of licensure, as stated by Indiana Code §27-1-15.6-12(b)(6) and §27-1-15.6-12(b)(8), due to having been convicted on October 16, 2001 of Felony Theft By Deception, Including Cold Checks Under \$300, a November 13, 2000 Misdemeanor conviction of Theft By Deception, Including Cold Checks Under \$300, and a September 14, 2001 Misdemeanor conviction of Theft By Deception, Including Cold Checks Under \$300. All charges were in Webster County, Kentucky.

6. Indiana Code §27-1-15.6-12(d) provides that the Applicant may, not more than sixty-three (63) days after notice of denial of the applicant's application 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 Applicant's request for licensure is hereby DENIED pursuant to Indiana Code §27-1-15.6-12(b)(6) and §27-1-15.6-12(b)(8), due to a felony and misdemeanor convictions in Webster County, Kentucky.

10/21/16
Date Signed


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

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