

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

Cause Number: 15523-AG16-0822-157

IN THE MATTER OF)
)
Burns Insurance Agency Inc.)
1433 N. Meridian St Ste 205)
Indianapolis, IN, 46202)
)
Respondent)
)
Type of Agency Action: Enforcement)
)
Producer's License: 935479)

FILED

JAN 17 2017

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Cathleen Nine-Altevogt, and Burns Insurance Agency Inc. ("Respondent"), a licensed resident insurance producer organization, 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 ("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 as follows:

1. Respondent shall pay an administrative fine of Two Hundred Fifty Dollars (\$250) within thirty (30) days after the Commissioner signs the Final Order, for their failure to disclose on an application for licensure the October 08, 2009 misdemeanor theft conviction of Respondent's owner, Shane S. Burns.
2. The Department agrees to accept this agreement as full resolution of this matter.

ALL OF WHICH IS ORDERED this 17 day of January 2017.

A handwritten signature in dark ink, appearing to read "Stephen W. Robertson", is written over a horizontal line.

Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

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

Burns Insurance Agency Inc.
1433 N. Meridian St Ste 205
Indianapolis, IN, 46202

STATE OF INDIANA)
) SS:
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BEFORE THE INDIANA
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CAUSE NUMBER: 15523-AG16-0822-157

IN THE MATTER OF:

Burns Insurance Agency Inc.
1433 N. Meridian St Ste 205
Indianapolis, IN, 46202

Respondent

Type of Agency Action: Enforcement

Producer's License: 935479

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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, Cathleen Nine-Altevogt, and Burns Insurance Agency Inc. ("Respondent"), to resolve all issues in the above-captioned cause number. This Agreed Entry is subject to the review and approval of the Department's Commissioner, Stephen W. Robertson ("Commissioner");

WHEREAS, Respondent is a licensed resident producer organization, holding license number 935479;

WHEREAS, on February 14, 2014, Respondent submitted an application for licensure, which was approved.

WHEREAS, on said application, Respondent failed to disclose that on October 08, 2009 Respondent's owner, Shane S. Burns, had been convicted of misdemeanor theft;

WHEREAS, the resident producer license of Shane S. Burns, number 600030, was revoked on June 23, 2016 for his failure to timely notify his criminal proceedings to the Department;

WHEREAS, the Respondent's actions are in 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, Eric A. Harrison is authorized to act on behalf of Respondent and obligate it to perform in accordance with this agreement;

WHEREAS, the Department and Respondent (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. Respondent voluntarily and freely waives the right to a public hearing on the issues in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent shall pay an administrative fine of Two Hundred Fifty Dollars (\$250) within thirty (30) days after the Commissioner signs the Final Order adopting this Agreed Entry.

6. Respondent acknowledges that the resident producer license of Shane S. Burns, number 600030, is revoked.
7. Respondent acknowledges that Shane S. Burns shall not sell, solicit, or negotiate insurance products unless he obtains proper licensure.
8. Respondent acknowledges that no commissions earned by Respondent or Respondent's employees shall be shared with Shane S. Burns.
9. Should additional violations manifest, further administrative actions will be taken for the new violation.
10. The Department agrees to accept Respondent's compliance with this agreement as full satisfaction of this matter.
11. Respondent has carefully read and examined this agreement and fully understands and accepts its terms.
12. Respondent has entered into this agreement freely, and has not been subject to duress, threat or undue influence.

13. 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.
14. Respondent is aware that failure to comply with any terms of this agreement will result in the matter being set for a hearing.

1-9-17
Date Signed

Cathleen Nine-Altevogt
Cathleen Nine-Altevogt, Attorney #32706-49
Indiana Department of Insurance

11-10-2016
Date Signed

Eric A. Harrison
Eric A. Harrison on behalf of Burns Insurance
Agency Inc., Respondent

STATE OF INDIANA)
COUNTY OF Marion) SS:
)

Before me a Notary Public for Marion County, State of Indiana personally appeared Eric A. Harrison on behalf of Burns Insurance Agency Inc., and being first duly sworn by me upon his/her oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 10th day of November, 2016.



Meghan Stowers
Signature

Meghan Stowers
Printed

My Commission expires: March 11, 2023

County of Residence: Marion