

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 15633-AD16-0912-075

IN THE MATTER OF: )

Tamara Grawcock )  
10970 N Birdie Ct )  
Syracuse, IN 46567 )

Applicant. )

**FILED**

JUL 21 2017

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

On May 19, 2017, the Administrative Law Judge, Reuben B. Hill, filed his Findings of Fact, Conclusions of Law and Recommended Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of law, and Recommended Order and Notice of Filing Recommended Order on Respondent by mailing the same to her 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 Findings of Fact, Conclusions of Law and Recommended 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 Findings of Fact, Conclusions of Law, and Recommended Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. The refusal to issue Applicant's Indiana producer license is affirmed.
2. Applicant should not re-apply for licensure for one (1) year and must demonstrate that she has pursued efforts to have her prior criminal record expunged.

ALL OF WHICH IS ORDERED by the Commissioner this 21<sup>st</sup> day of July, 2017.

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Copies to:

Tamara Grawcock  
10970 N Birdie Ct  
Syracuse, IN 46567

Claire Szpara, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204

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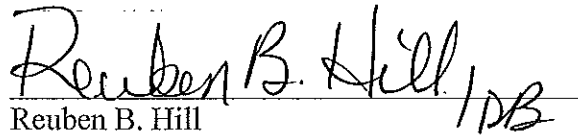
MAY 19 2017

STATE OF INDIANA  
DEPT. OF INSURANCE

NOTICE OF FILING OF RECOMMENDED ORDER

The parties of this action are hereby notified that the Administrative Law Judge's Recommended Order is deemed filed as of this date.

To preserve an objection to this order for judicial review, you must object to the order in a writing that: 1) identifies the basis for your objection with reasonable particularity; and 2) is filed with the ultimate authority for the Final Order, the Commissioner of the Department of Insurance within eighteen (18) days from the date of this Order.

  
Reuben B. Hill  
Administrative Law Judge

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

**FILED**

MAY 19 2017

IN THE MATTER OF: )

Tamara Grawcock )  
10970 N. Birdie Ct. )  
Syracuse, Indiana 46567 )

**STATE OF INDIANA  
DEPT. OF INSURANCE**

CAUSE NO.: 15633-AD16-0912-075  
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Applicant.

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**FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND RECOMMENDED ORDER**

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Administrative Law Judge Reuben B. Hill ("ALJ"), having heard, reviewed and considered all of the evidence, will now render a decision concerning the matter of Tamara Grawcock ("Applicant"). This matter came on to be heard by the ALJ on April 12, 2017 at 10:00 a.m. at the Indiana Department of Insurance at 311 West Washington Street, Indianapolis, Indiana.

The Enforcement Division of the Indiana Department of Insurance ("Department") was represented by counsel, Claire Szpara. Applicant did not appear for the hearing.

Based upon the evidence presented at said hearing, the ALJ now makes the following Findings of Fact, Conclusions of Law, and issues the Recommended Order.

### **FINDINGS OF FACT**

1. Applicant applied for her resident producer license on August 29, 2016.
2. The Department filed its Preliminary Administrative Order and Notice of License Denial on September 22, 2016.
3. Applicant was denied for having been convicted of a Class D Felony Operating a Vehicle with an ACE of .15 or more on February 23, 2012.
4. Applicant's request for hearing was originally set for December 20, 2016. Applicant asked for a continuance. Applicant's hearing was rescheduled for February 8, 2017. Applicant again asked for a continuance. Applicant's hearing was rescheduled for April 12, 2017.
5. Applicant did not appear for the hearing on April 12, 2017 and did not submit any evidence for consideration prior to the hearing.

### **CONCLUSIONS OF LAW**

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1. The Commissioner of Insurance has jurisdiction over both the subject matter and the parties to this action.
2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code.
3. Indiana Code 27-1-15.6-12(b) states that the Commissioner may refuse to issue an insurance producer license, due to a number of factors.
4. Specifically, Indiana Code 27-1-15.6-12(b)(6) provides the Commissioner may refuse to issue an insurance producer license for having been convicted of a felony.

5. Applicant's Class D Felony Operating a Vehicle with an ACE of .15 or more conviction is itself evidence of having a felony conviction.
6. Indiana Code 4-21.5-3-14(c) states that the person requesting an agency take action has the burden of persuasion and the burden of going forward. Applicant is requesting that the Department issue her resident producer license and, therefore, bears the burden.
7. Pursuant to Indiana Code 27-1-15.6-12(d), the hearing was held to determine the reasonableness of the Commissioner's decision. Applicant failed to prove that the Commissioner's decision to deny her insurance producer license was unreasonable.
8. Findings of Fact that can be adopted as a Conclusion of Law are hereby incorporated herein as such.

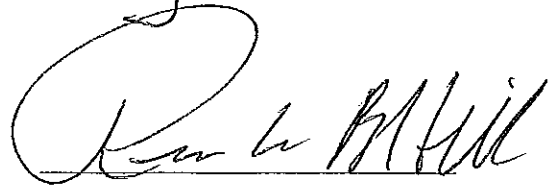
### **RECOMMENDED ORDER**

In consideration of the foregoing Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the **Commissioner of Insurance** the following:

1. That the refusal to issue Applicant's resident insurance producer license be affirmed and Applicant shall not re-apply for licensure for one (1) year from the date of the Final Order

in this matter, Applicant must also demonstrate that she has pursued efforts to have her prior criminal conviction expunged.

**ALL OF WHICH IS ADOPTED** by the Administrative Law Judge and recommended to the Commissioner of Insurance this 19<sup>th</sup> day of May, 2017.



Reuben B. Hill, Esq.  
Administrative Law Judge

Distribution:

Tamara Grawcock  
10970 N. Birdie Ct.  
Syracuse, Indiana 46567

Claire Szpara, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, Indiana 46204

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

Cause No.: 15633-AD16-0912-075

IN THE MATTER OF: )  
 )  
INSURANCE PRODUCER LICENSE )  
APPLICATION OF: )  
 )  
Tamara Grawcock )  
10970 N Birdie Ct )  
Syracuse, IN 46567 )  
 )  
Application ID: 550052 )

**FILED**

SEP 22 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 Tamara Grawcock (“Applicant”) of the following Administrative Order:

1. Applicant submitted an application for licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on August 29, 2016.
2. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code §27-1-15.6-6 and Indiana Code §27-1-15.6-12.
3. Indiana Code §27-1-15.6-12(b)(6) provides that the Commissioner may refuse to issue or renew an insurance producer license for having been convicted of a felony.
4. Following a review of materials 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), due to having been

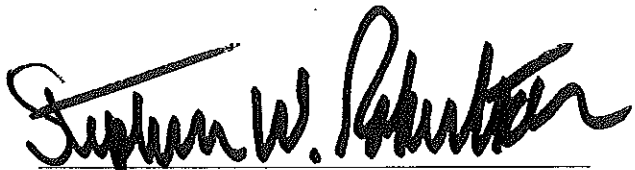


convicted on February 23, 2012 of Class D Felony Operating a Vehicle With an ACE of .05 or More in Kosciusko County, Indiana.

5. 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), due to her felony conviction.

9-22-14  
Date Signed

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

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10970 Birdie Ct  
Syracuse, IN 46567

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317 234-8687, fax 317 234-2103

**Certified Mail Receipt: 91 7190 0005 2720 0063 4143**