

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 16030-AD17-0323-031

IN THE MATTER OF:)
)
INSURANCE PRODUCER LICENSE)
APPLICATION OF:)
)

Paul Rentas
10325 Bernard Avenue
Cleveland, Ohio 44111

Applicant.

FILED

JUL 21 2017

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On May 31, 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 his 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. Applicant's Indiana producer license is issued on a probationary license for a period of two (2) years.

Under Ind. Code §4-21.5-5-5, Respondent has the right to appeal this Final Order by filing a petition for Judicial review in the appropriate court within thirty (30) days.

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

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

Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Copies to:

Paul Rentas
10325 Bernard Avenue
Cleveland, Ohio 44111

Cathleen Nine-Altevogt, Attorney
Indiana Department of Insurance
311 W. Washington St., Suite 300
Indianapolis, IN 46204

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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

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STATE OF INDIANA
DEPT. OF INSURANCE

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

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 Paul Rentas ("Applicant"). This matter came on to be heard by the ALJ on , April 19, 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, Cathleen Nine-Altevogt. Applicant appeared telephonically and without legal counsel. Evidence was heard and exhibits were received into evidence.

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. On March 24, 2017, the Department issued a Preliminary Administrative Order and Notice of License Denial regarding Applicant's insurance producer license.
2. Applicant disclosed on his nonresident insurance producer license application that he was convicted of felony ^Fburglary and misdemeanor ^Ccriminal ^Ddamaging in Ohio in 2010.
3. The burglary incident occurred sometime between 4 a.m. and 6 a.m. and involved Applicant throwing rocks at a residence and trying to cut a window screen because he thought a group of people who had taken his wallet were in the house.
4. Applicant admitted that he was mistaken in his belief that the group who took his wallet was in the home.
5. Applicant also disclosed on his application that he was convicted of misdemeanor ^Rresisting ^Aarrest in Ohio in 2009.
6. Applicant was attending a St. Patrick's Day Parade and engaged in drunken behavior during the 2009 incident.
7. Applicant stated he had served in the military and because of his service he has post-traumatic stress disorder ("PTSD").
8. Applicant admitted that all of his convictions involved the consumption of alcohol.
9. Applicant credits the AA program with saving his life.
10. Applicant stated he was previously treated for his PTSD and he would return to formal treatment if necessary.
11. Applicant still attends some AA meetings when he feels that he needs extra support mostly around the holidays.

12. Applicant admitted that he is scared of drinking alcohol, but he does drink alcohol on "rare occasions".
13. Applicant expressed remorse for his convictions stating he was not proud of his past, but strived to move on and set a good example for his children.
14. Applicant stated he is a licensed insurance producer in almost forty (40) states.
15. Applicant admitted several exhibits including six (6) letters of recommendation attesting to his character from a former supervisor at National General Insurance, his attorney and fellow church member, his pastor a friend and fellow church member, and from the Senior Vice President of Direct Sales and Marketing at National General Insurance.

CONCLUSIONS OF LAW

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) provides that the Commissioner may deny a license application or place the license on probation due to a number of causes.
4. Specifically, Indiana Code 27-1-15.6-12(b)(6) provides that the Commissioner may deny or place a license on probation for having been convicted of a felony.
5. Specifically, Indiana Code 27-1-15.6-12(b)(8) provides that the Commissioner may deny or place a license on probation for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.

6. Applicant violated Indiana Code 27-1-15.6-12(b)(6) by having a felony burglary conviction in Ohio in 2010.
7. Applicant violated Indiana Code 27-1-15.6-12(b)(8) by his misdemeanor convictions of resisting arrest and criminal damaging which on their face demonstrate untrustworthy and coercive conduct.
8. Indiana Code 4-21.5-3-14(c) states that the person requesting and agency take action has the burden of persuasion and the burden of going forward. Applicant is requesting that the Department issue his nonresident producer license and, therefore, bears the burden.
9. Applicant contends that he has sought treatment for the underlying issues which led to his criminal behavior, appears to take responsibility for his convictions, was forthcoming about his convictions, and is currently a licensed producer in many other states which are facts in mitigation.
10. Applicant's history of several criminal convictions and the facts in mitigation warrants a probationary license instead of a license denial.
11. 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 Applicant's Indiana producer license be issued on a probationary basis for the period of two (2) years from the signing of the Final Order in this matter.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the

Commissioner of Insurance this 31st day of May, 2017.

A handwritten signature in black ink, appearing to read "Reuben B. Hill", written over a horizontal line.

Reuben B. Hill, Esq.
Administrative Law Judge

Distribution:

Paul Rentas
10325 Bernard Avenue
Cleveland, Ohio 44111

Cathleen Nine-Altevogt, Attorney
Indiana Department of Insurance
311 W. Washington St., Suite 300
Indianapolis, Indiana 46204

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MAR 24 2017

**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 Paul A. Rentas ("Applicant") of the following Administrative Order:

1. Applicant filed an application for nonresident licensure with the Commissioner of the Indiana Department of Insurance ("Commissioner") on February, 07, 2017.
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 an insurance producer license for having been convicted of a felony and for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere. Following a review of materials submitted by Applicant in support of their 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(b) due to his August 03, 2010 Ohio convictions of Burglary, a Fourth Degree Felony; Criminal Damaging, a Second Degree Misdemeanor; and his April 22, 2009 Ohio conviction of Disorderly Conduct, a Minor Misdemeanor.

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 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) due to his criminal history.

3-24-17

Date Signed



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution to:

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