

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 16100-AD17-0324-040

IN THE MATTER OF:

Billy Laronze Parks
7225 Causeway Dr 2C
Indianapolis, IN 46214

Applicant.

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FILED

SEP 12 2017

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On June 6, 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 Applicant 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 is Granted an Indiana Resident Producer License on a Probationary Basis 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 12th day of September, 2017.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Copies to:

Billy Laronze Parks
7225 Causeway Dr. 2C
Indianapolis, IN 46214

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

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JUN 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)
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BEFORE THE INDIANA
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7225 Causeway Drive 2 C)
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FILED

JUN 19 2017

**STATE OF INDIANA
DEPT. OF INSURANCE**

CAUSE NO.: 16100-AD17-0324-040

**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 Billy Parks (“Applicant”). This matter came on to be heard by the ALJ on, May 10, 2017 at 11:00 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 appeared in person and without 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 13, 2017, Applicant applied for a Resident Producer License.
2. Applicant disclosed a Misdemeanor Family Violence Battery conviction from 2010 in the state of Georgia.
3. The incident involved Applicant and his girlfriend. Applicant and his girlfriend had an argument over information on her cell phone. Applicant admitted to being physically violent with his girlfriend during this argument. Applicant and his girlfriend have had Two (2) children together since this incident.
4. Applicant pled no contest and was sentenced to Twelve (12) months' probation, Forty (40) hours of community service, and required to attend a certified family violence intervention program. Applicant stated during the hearing that he successfully completed all of these requirements.
5. Applicant is currently employed at GEICO as an Insurance Salesman. Prior to GEICO, Applicant worked in sales at Allconnect for Eight (8) years.
6. Applicant is also a youth minister at the Dream Center Church, where he is an advocate for domestic violence and mentors young children.

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.

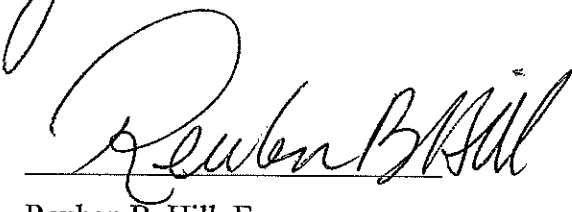
3. Indiana Code 27-1-15.6-12(b) states that the Commissioner may refuse to issue an Insurance Producer License, due to a number of factors.
4. Specifically, Indiana Code 27-1-15.6-12(b)(8) provides the Commissioner may refuse to issue an Insurance Producer License for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.
5. Applicant's misdemeanor Family Violence Battery conviction demonstrates using coercive practices. Facts in mitigation include no subsequent criminal history and that Applicant has since created a family with this girlfriend.
6. Indiana Code 4-21.5-3-14(c) states that the person requesting an agency take action as the burden of persuasion and the burden of going forward. Applicant is requesting that the Department issue his 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, because of Applicant's lack of subsequent criminal history and other mitigating factors, Applicant should be issued a Probationary License.
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 Applicant be granted his Indiana Resident Producer License on a Probationary Basis for a period of Two (2) years.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner of Insurance this 19th day of June, 2017.


Reuben B. Hill, Esq.
Administrative Law Judge

Distribution:

Billy Laronze Parks
7225 Causeway Drive 2C
Indianapolis, Indiana 46214

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

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COMMISSIONER OF INSURANCE

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7225 Causeway Dr. 2C)
Indianapolis, IN 46214)
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Applicant.)
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Type of Agency Action: Enforcement)
)
Application ID: 579292)

FILED

MAR 31 2017

STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE DENIAL

The Indiana Department of Insurance (“Department”), 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 Billy Laronze Parks (“Applicant”) of the following Administrative Order:

1. Applicant filed an application for licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on March 13, 2017.
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)(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 in the conduct of business in Indiana or elsewhere.

4. Following a review of materials submitted by Applicant in support of his 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 based on his January 12, 2010 Georgia convictions of one (1) count misdemeanor family violence battery and two (2) counts of misdemeanor battery.
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 to determine the reasonableness of the Commissioner's action.

IT IS THEREFORE ORDERED that the Applicant's request for licensure is hereby DENIED pursuant to Indiana Code § 27-1-15.6-12(b).

3-31-17

Date Signed



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

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Indianapolis, IN 46214

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