

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

Cause No.: 16311-AD17-0718-073

IN THE MATTER OF:)
)
INSURANCE PRODUCER LICENSE)
APPLICATION OF:)
)
Kimberly Spears)
4000 Fort Campbell Blvd Suite D3)
Hopkinsville, KY 42240)
)
Application ID: 594263)

FILED

JUL 21 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 Kimberly Spears ("Applicant") of the following Administrative Order:

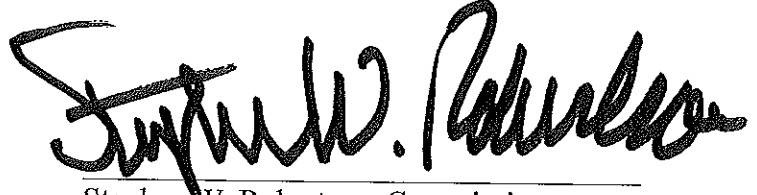
1. Applicant submitted an application for licensure with the Commissioner of the Indiana Department of Insurance ("Commissioner") on June 19, 2017.
2. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-1-15.6-8 and Indiana Code § 27-1-15.6-12.
3. Indiana Code § 27-1-15.6-12(b)(1) provides, in part, that the Commissioner may refuse to issue or renew an insurance producer license for providing incorrect, misleading, incomplete, or materially untrue information on a license application.
4. 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.

5. 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.
6. 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 Codes § 27-1-15.6-12(b)(1), § 27-1-15.6-12(b)(6), and § 27-1-15.6-12(b)(8), due to having been convicted of felony Theft by Deception, Including Cold Checks Under \$300 on October 16, 2001, misdemeanor Theft By Deception, Including Cold Checks Under \$300 on November 13, 2000, and misdemeanor Theft By Deception, Including Cold Checks Under \$300 on September 14, 2001, and due to failure to report a previous license applicant denial in the State of Indiana on October 21, 2016.
7. 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 Codes § 27-1-15.6-12(b)(1), § 27-1-15.6-12(b)(6), and § 27-1-15.6-12(b)(8), due to a felony and two (2) misdemeanor convictions in Webster County, Kentucky and the failure to report the convictions and a previous license denial on her application for licensure.

7-21-17

Date Signed



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Kimberly Spears
4000 Fort Campbell Blvd Suite D3
Hopkinsville, KY 42240

Melissa Higgins, Investigator
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204
317 234-8687, fax 317 234-2103