

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 16067-AD17-0329-044

IN THE MATTER OF:

Sabal Insurance Group, Inc.
1000 E Broward Blvd
Ft. Lauderdale, FL 33301

Applicant.

FILED

NOV 09 2017

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On October 11, 2017, the Administrative Law Judge, Wade D. Fulford, 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 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. The refusal to issue Applicant's nonresident insurance producer organization license is affirmed.

2. Applicant shall not re-apply for licensure for one (1) year.

Under Ind. Code §4-21.5-5-5, Applicant 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 9th day of November, 2017.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Copies to:

Sabal Insurance Group, Inc.
1000 E Broward Blvd
Ft. Lauderdale, FL 33301

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

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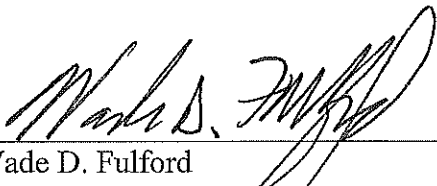
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STATE OF INDIANA
DEPT. OF INSURANCE

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.



Wade D. Fulford
Administrative Law Judge

STATE OF INDIANA)
) SS:
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BEFORE THE INDIANA
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CAUSE NUMBER: 16067-AD17-0329-044

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

Administrative Law Judge ("ALJ") Wade D. Fulford, having considered and reviewed all of the evidence, will now render a decision in the matter of Sabal Insurance Group, Inc. ("Applicant"). This matter came to be heard by the ALJ on June 14, 2017 at 1:00 p.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 by Ian Norris, President and Owner of Sabal Insurance Group, Inc., 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 February 16, 2017, Applicant applied for a nonresident producer organization license.

2. Applicant disclosed a license denial in the state of Virginia and a license revocation in the state of Ohio. Virginia denied Applicant on October 27, 2015 for failure to disclose the entity was currently charged with a felony. Ohio revoked Applicant's license on February 17, 2016 for failing to disclose an administrative action in the state of Washington.

3. The administrative actions taken in Virginia and Ohio stem from an incident in Applicant's home state of Florida. Applicant was charged with five (5) counts of Felony Grand Theft in January 2015.

4. Applicant entered into a Settlement Agreement with the State of Florida on February 23, 2016. Florida agreed to nolle prose all charges contained in the Information as to Applicant, with consideration being Applicant agree to successfully complete terms and conditions listed in the Settlement Agreement.

5. Per the Settlement Agreement, Applicant agreed to pay a total settlement sum of \$303,807.87: \$183,807.87 to Miami Dade County Aviation Department, \$100,000.00 to the Denise Moon Memorial Fund at The Miami Foundation, and \$20,000 payable to the Miami Dade Aviation Department for investigation costs.

6. Per the Settlement Agreement, Applicant agreed to the monitoring of Applicant's activities through December 1, 2018. Applicant also agreed to institute a training program to be completed annually by December 1 of 2016, 2017, and 2018.

7. If Applicant fails to complete these terms and conditions, Florida may re-file the charges contained in the Information prior to December 1, 2018.

8. Ian Norris, President and Owner of Sabal Insurance Group, Inc., testified on behalf of Applicant. Mr. Norris testified that only three (3) states have not issued or re-issued Applicant's license; Indiana, Michigan, and Virginia. However, these are the three (3) states that Mr. Norris

does not personally hold licensure; Applicant is currently licensed in Michigan and is only licensed in twenty-five (25) other states.

9. Mr. Norris introduced an insurance license in the state of Ohio and the state of Louisiana. However, both licenses introduced are in the name of Mr. Norris in his individual capacity as an insurance producer, not agency licenses belonging to Applicant.

10. Mr. Norris introduced three (3) letters of recommendation. However, all three (3) letters speak to Mr. Norris in his individual capacity, not of Applicant's character.

11. Mr. Norris introduced an Order showing his record of this matter expunged. However, this only speaks to Mr. Norris' personal expungement and not Applicant's. Mr. Norris stated Florida does not allow for expungements on agencies.

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)(9) provides the Commissioner may refuse to issue an insurance producer license for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district or territory.

5. Applicant's license denial in Virginia and license revocation in Ohio demonstrate having an insurance producer license denied, and revoked, in any other state. Facts in aggravation

include Applicant is still under obligations to satisfy a Settlement Agreement until December 1, 2018.

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; here, Applicant is requesting that the Department issue its nonresident producer organization 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 refuse to issue its nonresident producer organization license was unreasonable.

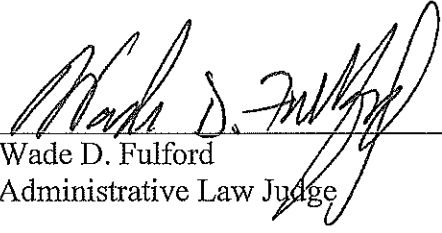
8. Findings of Fact that can be adopted as a Conclusion of Law are hereby incorporated herein as such.

RECOMMENDED ORDER

With the 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 nonresident insurance producer organization 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.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner this 11th day of October, 2017.



Wade D. Fulford
Administrative Law Judge

Distribution:

Sabal Insurance Group, Inc.
1000 E Broward Blvd
Ft. Lauderdale, FL 33301

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

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

Cause No.: 16067-AD17-0329-044

IN THE MATTER OF:)
)
INSURANCE PRODUCER LICENSE)
APPLICATION OF:)
)
Sabal Insurance Group, Inc)
1000 E Broward Blvd)
Ft. Lauderdale, FL 33301)
)
Application ID: 575737)

FILED

APR 06 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 Sabal Insurance Group, Inc. ("Applicant") of the following Administrative Order:

1. Applicant submitted an application for licensure with the Commissioner of the Indiana Department of Insurance ("Commissioner") on February 16, 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)(9) states that the Commissioner may deny a license application for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.
4. Following a review of materials which were submitted in the application, the Commissioner being fully advised, now hereby notifies Applicant that they have not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(9), for

having a license denied in the State of Virginia for failing to make required disclosures on a license application for criminal proceedings on October 27, 2015, and for having a license revoked in the State of Ohio for a misstatement on an application due to other state actions on February 17, 2016.

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)(9), due to a having a license denied in the State of Virginia and having a license revoked in the State of Ohio.

4-6-17

Date Signed


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

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Melissa Higgins, Investigator
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317 234-8687, fax 317 234-2103