

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 16281-AG17-0801-153

IN THE MATTER OF:

Erica Ilene Taylor
210 East Benton Street
Oxford, IN 47905

Producer's License No. 931174

FILED

OCT 18 2017

**STATE OF INDIANA
DEPT. OF INSURANCE**

DEFAULT ORDER

Pursuant to Indiana Code § 4-21.5-3-24 and Indiana Code § 4-21.5-3-27, the Administrative Law Judge in this matter issues the following Default Order:

FINDINGS OF FACT

1. On August 3, 2017, the Indiana Department of Insurance Enforcement Division ("Division") filed its Statement of Charges against Respondent alleging she engaged in conduct violating Indiana Code § 27-1-15.6-12(b)(8).
2. The Statement of Charges requested the revocation of Respondent's license and a civil penalty of five hundred dollars (\$500).
3. On August 16, 2017, the Notice of Hearing, hearing procedure letter, and Department exhibits were sent, via certified mail, to Respondent's address of record.
4. On August 21, 2017, the Notice of Hearing, hearing procedure letter, and Department exhibits were sent to an alternative address via certified mail.

5. On August 28, 2017, the Department sent, via certified mail, the Notice of Hearing, hearing procedure letter, and Department exhibits to the address of record but with the corrected zip code of 47971.
6. The Department has called Respondent at her phone number of record with the Department and the number is disconnected.
7. On September 13, 2017 at 10 a.m., the Respondent failed to appear for the scheduled hearing regarding the Statement of Charges.
8. During the time of the scheduled hearing, the Division requested the issuance of a Proposed Default Order.
9. The Proposed Default Order was filed on September 20, 2017 and sent via certified mail on September 21, 2017 to the address of record and the alternative address.
10. Respondent has failed to respond to the Proposed Default Order within seven (7) days of service pursuant to Indiana Code § 4-21.5-3-24(b).
11. Pursuant to Indiana Code § 4-21.5-3-24(b), the Administrative Law Judge ("ALJ") conducted Respondent's proceeding without the participation of the Respondent.
12. Respondent is a licensed insurance producer.
13. Respondent was formerly employed at Columbia Title. (Exhibit 1)
14. At the hearing, the Department introduced credit card records and a statement from Respondent's former employer, Columbia Title, showing that Respondent used a company credit card to purchase personal items without her employer's consent. (*Id.*)
15. Approximately eleven (11) unauthorized purchases occurred on the company credit card from February 2017 to May 2017. (*Id.*)
16. Respondent was terminated from Columbia Title on May 22, 2017. (*Id.*)

CONCLUSIONS OF LAW

1. The Commissioner has jurisdiction over both the subject matter and the parties to this action.
2. The September 13, 2017 hearing was held in compliance with the Indiana Administrative Orders and Procedures Act, codified at Indiana Code § 4-21.5 *et seq.*
3. Respondent failed to attend or participate in a scheduled hearing regarding a Statement of Charges filed against her license.
4. As a result of Respondent's failure to appear, a Proposed Default Order, pursuant to Indiana Code § 4-21.5-3-24(a), was properly served upon all parties.
5. Respondent failed to file a written motion within seven (7) days after service of the Proposed Default Order, therefore, the ALJ shall issue a default or dismissal order pursuant to Indiana Code § 4-21.5-3-24(c).
6. Pursuant to Indiana Code § 27-1-15.6-12(b)(8), the Commissioner may revoke a producer's license for using fraudulent, coercive or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana.
7. Respondent's conduct in using a company credit card for personal purchases without the permission of her employer violated Indiana Code § 27-1-15.6-12(b)(8).
8. Findings of Fact than can be adopted as Conclusions of Law are hereby incorporated herein as such.
9. Pursuant to Indiana Code §4-21.5-3-24(c), Respondent shall be held in default.

RECOMMENDED ORDER

Having found Respondent to be in default, and based on the above Findings of Fact and the Conclusions of Law, ALJ Reuben B. Hill now recommends to the Commissioner the following:

1. Respondent's insurance producer license shall be revoked.

ALL OF WHICH IS ADOPTED by the ALJ and recommended to the Commissioner this 18th day of October, 2017.



Reuben B. Hill,
Administrative Law Judge

Distribution to:

Erica Ilene Taylor
210 East Benton Street
Oxford, IN 47971
Service Via Certified Mail

Erica Ilene Taylor
525 P.O. Box
Oxford, IN 47971
Service Via Certified Mail

Cathleen Nine-Altevogt
Indiana Department of Insurance
311 West Washington Street, Suite 300
Indianapolis, IN 46204

**BEFORE THE INDIANA
COMMISSIONER OF INSURANCE**

CAUSE NUMBER: 16281-AG17-0801-153

IN THE MATTER OF:

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STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On October 18, 2017, the Administrative Law Judge, Reuben B. Hill, filed his Findings of Fact, Conclusions of Law and Default Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of law, and Default 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 Default 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 Default Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent's insurance producer license is revoked.

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 6th day of November, 2017.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Copies to:

Erica Ilene Taylor
210 East Benton Street
Oxford, IN 47971

Erica Ilene Taylor
525 P.O. Box
Oxford, IN 47971

Cathleen Nine-Altevogt, 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 NUMBER: 16281-AG17-0801-153

IN THE MATTER OF:

Erica Ilene Taylor
210 East Benton Street
Oxford, IN 47905

Producer's License No. 931174

Respondent.

FILED

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STATE OF INDIANA
DEPT. OF INSURANCE

STATEMENT OF CHARGES

The Enforcement Division of the Indiana Department of Insurance ("Department"), pursuant to Indiana Code §§ 4-21.5-1 and 27-1-15.6 *et seq.*, files its Statement of Charges against Erica Ilene Taylor ("Respondent"), a resident insurance producer licensed in the State of Indiana, as follows:

FACTS

1. Respondent is a resident insurance producer, holding license number 931174.
2. Respondent misappropriated funds from her employer, Columbia Title, between February 2017 and May 2017.
3. Respondent charged unauthorized personal charges to her employer's credit card.
4. On or around April 2017, Respondent was confronted by her employer about the unauthorized charges. Respondent said that there would be two more unauthorized charges on the next statement. Columbia Title Inc. received the credit card statement on or about April 30, 2017 and there were seven unauthorized charges.
5. Respondent's employment with Columbia Title Inc. was terminated on May 22, 2017.

6. Indiana Code §27-1-15.6-12(b) states that the Commissioner of the Indiana Department of Insurance, (“Commissioner”), may levy a civil penalty and/or revoke an insurance producer’s license for any of an enumerated list of factors.
7. Indiana Code §27-1-15.6-12(b)(8), states that if a producer uses fraudulent, coercive, or dishonest practices, or demonstrates incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere it is grounds for administrative action.

CHARGES

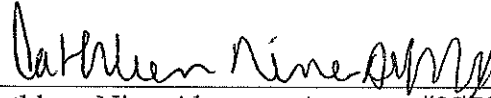
COUNT I

8. Respondent’s conduct in misappropriating funds from her employer is in violation of Indiana Code § 27-1-15.6-12(b)(8).
9. Indiana Code 27-1-15.6-12(f) states that in addition to denial, suspension, or revocation, the Commissioner may impose a civil penalty up to ten thousand dollars (\$10,000) for violation of Indiana Code § 27-1-15.6-12(b).

WHEREFORE, the Enforcement Division of the Indiana Department of Insurance, by counsel, Cathleen Nine-Altevogt, requests that the Commissioner set this matter for a hearing pursuant to Indiana Code § 4-21.5; and

- (1) Issue an order that states Respondent’s resident producer’s license is revoked;
- (2) Impose a civil penalty in the amount of five hundred dollars (\$500.00);
- (3) All other relief necessary and proper upon the premise.

Respectfully submitted,

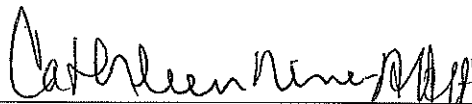


Cathleen Nine-Altevogt, Attorney #32706-49
Enforcement Division

Indiana Department of Insurance
311 West Washington Street, Suite 103
Indianapolis, IN 46204-2787
Phone: (317) 234-5887
Facsimile: (317) 234-2103

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served upon the following Respondent by
United States certified first class mail, postage prepaid, this 3rd day of August, 2017.



Cathleen Nine-Altevogt, Attorney #32706-49

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SEP 20 2017

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NOTICE OF PROPOSED DEFAULT ORDER

The Indiana Department of Insurance ("Department"), pursuant to the Notice of Hearing filed on August 10, 2017 appeared on September 13, 2017 at 311 West Washington Street, concerning a Statement of Charges filed against Erica Ilene Taylor ("Respondent") on August 3, 2017.

The Department's Enforcement Division ("Division") was represented by its counsel, Cathleen Nine-Altevogt. Respondent was not present and was not represented by counsel.

The Administrative Law Judge ("ALJ"), having considered the Division's request for issuance of a Notice of Proposed Default Order; and taking official notice of its file in this matter, now issues this Notice of Proposed Default Order pursuant to Indiana Code § 4-21.5-3-24 on the following grounds:

1. The Respondent's address on record with the Department is 210 East Benton Street, Oxford, Indiana 47905.

2. On June 19, 2017, a letter was sent, via certified mail, to Respondent at her address of record containing the complaint filed against her.
3. On July 21, 2017, the letter containing the complaint was returned to the Department as not deliverable.
4. On August 3, 2017, the Division filed its Statement of Charges against Respondent alleging she impermissibly used a business credit card from her employer for personal expenses from February 2017 to May 2017, in violation of Indiana Code 27-1-15.6(b)(8) which allows the Commissioner to discipline a Respondent for dishonest conduct.
5. The Statement of Charges requested the revocation of Respondent's license and a civil penalty of five hundred dollars (\$500).
6. On August 10, 2017, a hearing was scheduled regarding the allegations against Respondent contained in the Division's Statement of Charges.
7. On August 16, 2017, the Notice of Hearing, hearing procedure letter, and Department exhibits were sent, via certified mail, to Respondent's address of record.
8. On August 21, 2017, after searching the Accurint website, which is a repository of public records, the Department sent, via certified mail, the Notice of Hearing, hearing procedure letter, and Department exhibits to P.O. Box 525, Oxford, Indiana 47971.
9. On August 28, 2017, the Department sent, via certified mail, the Notice of Hearing, hearing procedure letter, and Department exhibits to the address of record but with the corrected zip code of 47971.

10. The Department has called Respondent at her phone number of record with the Department and the number is disconnected.
11. The Respondent was provided adequate notice of the hearing pursuant to Indiana Code § 4-21.5-3-20 and failed to appear for the scheduled hearing on September 13, 2017 at 10 a.m.
12. At the hearing, on September 13, 2017, which Respondent failed to attend, the Division presented evidence that Respondent violated Indiana Code § 27-1-15.6(12)(b)(8).

ORDER

1. For the Respondent's failure to appear for the scheduled hearing, the ALJ issues this Notice of Proposed Default.
2. Under Indiana Code § 4-21.5-3-24(b), the Respondent must file a written motion within seven (7) days of service of this order requesting that the ALJ not enter a default order and stating the reasons relied upon for this request. Failure to timely file this written motion shall result in the issuance of a default order.
3. If the motion is timely filed, the ALJ shall consider the motion along with any other relevant facts in determining whether a default order and the penalties requested in the Division's Statement of Charges will be entered.

SO ORDERED, this 20 day of September, 2017.

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

Reuben B. Hill,
Administrative Law Judge

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Indiana Department of Insurance
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Indianapolis, IN 46204