

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

Cause No.: 16501-AD17-1006-102

IN THE MATTER OF:)
)
INSURANCE PRODUCER LICENSE)
APPLICATION OF:)
)
Jeffrey Hopkins)
5950 Flemming Drive)
Evansville, IN 47711)
)
Application ID: 596373)

FILED

MAR 16 2018

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On January 24, 2018, 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 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 is GRANTED an insurance producer license on a two (2) year probationary status.

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 16 day of March, 2018.

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:

Jeffrey Hopkins
5950 Flemming Drive
Evansville, IN 47711

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 NUMBER: 16501-AD17-1006-102

IN THE MATTER OF:)

INSURANCE PRODUCER LICENSE)
APPLICATION OF:)

Jeffrey Hopkins)
5950 Flemming Drive)
Evansville, Indiana 47711)

Application ID: 596373)

FILED

JAN 24 2018

**STATE OF INDIANA
DEPT. OF INSURANCE**

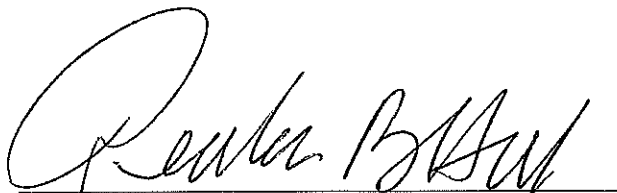
NOTICE OF FILING OF RECOMMENDED ORDER

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.

DATED: 1-24-18

:


Reuben B. Hill
Administrative Law Judge

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

IN THE MATTER OF:)
)
INSURANCE PRODUCER LICENSE)
APPLICATION OF:)
)
Jeffrey Hopkins)
5950 Flemming Drive)
Evansville, Indiana 47711)
)
Application ID: 596373)

CAUSE NO.: 16501-AD17-1006-102

FILED

JAN 24 2018

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 Jeffrey Hopkins ("Applicant"). This matter came on to be heard by the ALJ on November 29, 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. Applicant applied for his Resident Producer License on July 3, 2017.
2. Applicant failed to disclose the following convictions: Misdemeanor Illegal Consumption of Alcohol Beverage on November 16, 2006, Misdemeanor Trespass on April 21, 2011, and Misdemeanor Possession of Marijuana on July 31, 2012.
3. At the hearing, Applicant testified that when he was filling out his license application, he was also studying for the test and filling out his broker kit, and became impatient and was "flying through things". Applicant testified that he did send information about his undisclosed convictions to the Department about a month after he applied for licensure.
4. Applicant submitted four (4) letters of recommendation as exhibits at the hearing. A letter from Brandon Harlan, Vice President of Lifetime Financial Growth, a letter from Justin Carter, personal trainer and Applicant's former employer, a letter from Adam Champion, Retail Loan Adviser of First Federal Savings Bank, and a letter from Nick Reed, Nurse at St. Vincent in Waynesville.
5. Vicky Hopkins, Applicant's mother, testified on behalf of Applicant. She stated that she has seen Applicant turn his life around in the last several years and believes he would do well in this field.

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)(1) allows the Commissioner to deny an Insurance Producer License for providing incorrect, misleading, incomplete or materially untrue information in a license application.
5. Specifically, Indiana Code 27-1-15.6-12(b)(8) allows the Commissioner to deny 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. Applicant's 2006 misdemeanor Illegal Consumption of Alcohol Beverage Conviction, 2011 Misdemeanor Trespass Conviction, and 2012 Misdemeanor Possession of Marijuana Conviction, and Failure to Disclose these convictions on his application for licensure, is evidence of violating Indiana Codes 27-1-15.6-12(b)(1) and 27-1-15.6-12(b)(8).
7. 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. Applicant is requesting that the Department issue his Resident Producer License and, therefore, bears the burden.
8. Pursuant to Indiana Code 27-1-15.6-12(d), the hearing was held to determine the reasonableness of the Commissioner's decision. Due to mitigating factors, Applicant should be granted a two (2) year Probationary License.

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

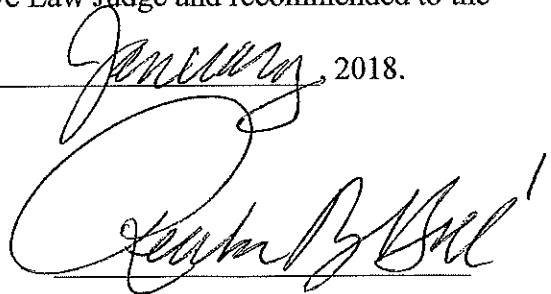
RECOMMENDED ORDER

IT IS THEREFORE RECOMMENDED:

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 Insurance Producer License on a two (2) Year Probationary Status.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner of Insurance this 24th day of January, 2018.



Reuben B. Hill, Esq.
Administrative Law Judge

Distribution:

Jeffrey Hopkins
5950 Flemming Drive
Evansville, Indiana 47711

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

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

Cause No.: 16501-AD17-1006-102

IN THE MATTER OF:)
)
INSURANCE PRODUCER LICENSE)
APPLICATION OF:)
)
Jeffrey Hopkins)
5950 Flemming Drive)
Evansville, IN 47711)
)
Application ID: 596373)

FILED

DEC 27 2017

STATE OF INDIANA
DEPT. OF INSURANCE

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

Administrative Law Judge ("ALJ") Reuben Hill, having considered and reviewed all of the evidence, will now render a decision in the matter of Jeffrey Hopkins ("Applicant"). This matter came to be heard by the ALJ on November 29, 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. Applicant applied for his resident producer license on July 3, 2017.
2. Applicant failed to disclose the following convictions: misdemeanor Illegal Consumption of Alcohol Beverage on November 16, 2006, misdemeanor Trespass on April 21, 2011, and misdemeanor Possession of Marijuana on July 31, 2012.

3. At the hearing, Applicant testified that when he was filling out his license application, he was also studying for the test and filling out his broker kit, and became impatient and was “flying through things.” Applicant testified that he did send information about his undisclosed convictions to the Department about a month after he applied for licensure.

4. Applicant submitted four (4) letters of recommendation as exhibits at the hearing: a letter from Brandon Harlan, Vice President of Lifetime Financial Growth, a letter from Justin Carter, personal trainer and Applicant’s former employer, a letter from Adam Champion, Retail Loan Adviser of First Federal Savings Bank, and a letter from Nick Reed, Nurse at St. Vincent in Waynesville.

5. Vicky Hopkins, Applicant’s mother, testified on behalf of Applicant. She stated that she has seen Applicant turn his life around in the last several years and believes he would do well in this field.

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)(1) allows the Commissioner to deny an insurance producer’s license for providing incorrect, misleading, incomplete or materially untrue information in a license application.

5. Specifically, Indiana Code § 27-1-15.6-12(b)(8) allows the Commissioner to deny an insurance producer's 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. Applicant's 2006 misdemeanor Illegal Consumption of Alcohol Beverage conviction, 2011 misdemeanor Trespass conviction, and 2012 misdemeanor Possession of Marijuana conviction, and failure to disclose these convictions on his application for licensure, is evidence of violating Indiana Codes §§ 27-1-15.6-12(b)(1) and 27-1-15.6-12(b)(8).

7. 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 his resident producer license and, therefore, bears the burden.

8. Pursuant to Indiana Code § 27-1-15.6-12(d), the hearing was held to determine the reasonableness of the Commissioner's decision; due to mitigating factors, Applicant should be granted a two (2) year probationary license.

9. 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 Applicant be granted his insurance producer license on a two (2) year probationary status.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner this _____ day of _____, 2018.

Reuben Hill
Administrative Law Judge

Distribution:

Jeffrey Hopkins
5950 Flemming Drive
Evansville, IN 47711

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.: 16501-AD17-1006-102

IN THE MATTER OF:)
)
INSURANCE PRODUCER LICENSE)
APPLICATION OF:)
)
Jeffrey Hopkins)
5950 Flemming Drive)
Evansville, IN 47711)
)
Application ID: 596373)

FILED

OCT 27 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 *et seq.* and Indiana Code § 27-1-15.6-12, hereby gives notice to Jeffrey Hopkins ("Applicant") of the following Administrative Order:


1. Applicant submitted an application for licensure with the Commissioner of the Indiana Department of Insurance ("Commissioner") on July 3, 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)(1) provides that the Commissioner may refuse to issue an insurance producer license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.
4. Indiana Code § 27-1-15.6-12(b)(8) provides that 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. Following a review of materials which were submitted in the 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)(1) and § 27-1-15.6-12(b)(8), due to having failed to report on his application for licensure the following misdemeanor convictions in Vanderburgh County, Indiana: misdemeanor Illegal Consumption of Alcohol Beverage on November 16, 2006, misdemeanor Trespass on April 21, 2011, and misdemeanor Possession of Marijuana on July 31, 2012.
6. 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) and 27-1-15.6-12(b)(8), due to Applicant's failure to report multiple misdemeanor convictions on his application for licensure.

October 27, 2017
Date Signed


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Jeffrey Hopkins
5950 Flemming Drive
Evansville, IN 47711

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