

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

Cause Number: 16732-AD17-1207-129

IN THE MATTER OF:)
)
Wayne Douglas Kiefer)
2804 North 800 East)
Marion, IN 46592)
)
Applicant.)
)
Type of Agency Action: Enforcement)
)
Application ID: 621015)

FILED

AUG 10 2018

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On June 14, 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.

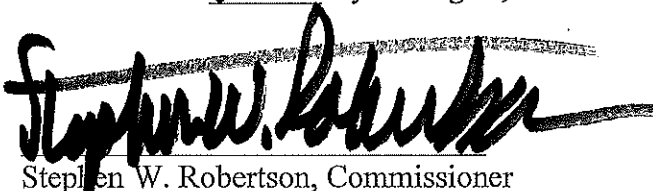
Therefore, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Applicant is GRANTED an Indiana 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 10 day of August, 2018.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Copies to:

Wayne Kiefer
2804 North 800 East
Marion, IN 46592

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

STATE OF INDIANA)
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COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 16732-AD17-1207-129

IN THE MATTER OF:)

INSURANCE PRODUCER LICENSE)
APPLICATION OF:)

Wayne Douglas Kiefer)
2804 North 800 East)
Marion, IN 46592)

Applicant)

FILED

MAR 28 2018

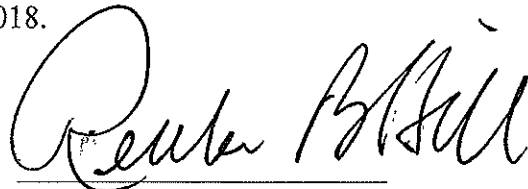
STATE OF INDIANA
DEPT. OF INSURANCE

Notice of New Hearing Date

The Administrative Law Judge now being advised of the Applicant's request for a continuance of the hearing that was scheduled for March 7, 2018 at 11:00 a.m.; now GRANTS said continuance and reset this matter for a hearing on

May 2, 2018 at 10:00 (a.m.) p.m..

So Ordered this 28 day of March, 2018.



Reuben B. Hill
Administrative Law Judge

Distribution:

Wayne Douglas Kiefer
2804 North 800 East
Marion, IN 46592

Claire Szpara
311 W. Washington St., Suite 300
Indianapolis, IN 46204

STATE OF INDIANA)
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COUNTY OF MARION)

BEFORE THE INDIANA
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Cause Number: 16732-AD17-1207-129

IN THE MATTER OF:)

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2804 North 800 East)
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Type of Agency Action: Enforcement)

Application ID: 621015)

FILED

FEB 19 2018

STATE OF INDIANA
DEPT. OF INSURANCE

NOTICE OF NEW HEARING DATE

The Administrative Law Judge now being advised of the Department's request for a continuance of the hearing scheduled for February 14, 2018 at 11:00 a.m.; now

GRANTS said continuance and reset this matter for a hearing on

March 7, 2018 at 11:00 (a.m./p/m. Est.

So Orderd this 19 day of February, 2018.



Reuben B. Hill
Administrative Law Judge

Distribution:

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

Wayne Kiefer
2804 North 800 East
Marion, IN 46592

STATE OF INDIANA)
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BEFORE THE INDIANA
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Applicant.)

Type of Agency Action: Enforcement)

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FILED

FEB 19 2018

STATE OF INDIANA
DEPT. OF INSURANCE

MOTION TO CONTINUE

The Indiana Department of Insurance (“Department”) hereby files its Motion to Continue the administrative hearing currently set for February 14, 2018, and in support of its motion hereby states:

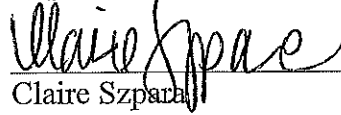
1. On January 5, 2018, the Department issued a Preliminary Administrative Order and Notice of License Denial.

2. On January 24, 2018, a hearing regarding the Order was set for February 14, 2018.

3. Applicant requests a continuance for this hearing to be reset no later than thirty (30) days from the initial hearing date.

4. This continuance is not requested for reasons of delay, but instead to ensure the Department can present its evidence and that this matter can be fully adjudicated.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Claire Szpara". The signature is written in black ink and is positioned above a horizontal line.


Claire Szpara

Attorney No: 34219-64

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been sent by first class
United States mail, proper postage prepaid to the following on this 14 day of
February 2018.

Wayne Kiefer
2804 North 800 East
Marion, IN 46592



Claire Szpara
Attorney No: 34219-64

INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street
Suite 103
Indianapolis, Indiana 46204
(317) 232-5312

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 16732-AD17-1207-129

IN THE MATTER OF:)
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INSURANCE PRODUCER LICENSE)
APPLICATION OF:)
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Wayne Douglas Kiefer)
2804 North 800 East)
Marion, IN 46592)
)
Applicant)

FILED
JAN 24 2018
STATE OF INDIANA
DEPT. OF INSURANCE

NOTICE OF HEARING

Notice is hereby given, pursuant to Indiana Code § 4-21.5-3 *et seq.*, that an evidentiary hearing will be held on February 14, 2018, at 11:00 (A.M.) P.M. Eastern Time, at 311 West Washington Street, Suite 103, Indianapolis, Indiana, to determine whether to grant the Applicant's request for a resident producer's license.

The hearing will be conducted in accordance with the provisions of the Administrative Orders and Procedures Act, codified at Indiana Code § 4-21.5-3 *et seq.* The Commissioner's authority to deny an insurance producer's license application is contained in Indiana Code § 27-1-15.6-12(b).

The issues to be resolved at the hearing are those described in the Preliminary Administrative Order and Notice of License Denial filed on January 5, 2018.

The Indiana Department of Insurance asserts that Applicant has not fully met the requirements of licensure under Indiana Code § 27-1-15.6-12, due to having a Class A Misdemeanor Theft conviction which is in violation of Indiana Code § 27-1-15.6-12(b)(8), and

failing to disclose the Class A Misdemeanor Theft conviction on his initial application for licensure, which is in violation of Indiana Code § 27-1-15.6-12(b)(1).

In accordance with Indiana Code § 27-1-15.6-34, the Administrative Law Judge in this matter is:

Reuben B. Hill

Indiana Department of Insurance
311 West Washington Street - Suite 103
Indianapolis, Indiana 46204-2787
Telephone: 317/232-3520

The Department of Insurance will be represented by its counsel, Claire Szpara, who can be reached at:

Indiana Department of Insurance
311 West Washington Street - Suite 103
Indianapolis, Indiana 46204-2787
Telephone: 317-232-5312

A party who fails to attend or participate in a pre-hearing conference, hearing or other later stage of the proceeding, may be held in default or have a proceeding dismissed under Indiana Code § 4-21.5-3-24.

Dated: Jun 24, 2018

Reuben B Hill

Administrative Law Judge
Indiana Department of Insurance

This Notice has been sent to:

Wayne Douglas Kiefer
2804 North 800 East
Marion, IN 46592

Taylor Peycha, Insurance Investigator
Indiana Department of Insurance
311 West Washington St., Suite 103
Indianapolis, IN 46204-2787

STATE OF INDIANA)
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BEFORE THE INDIANA
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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 Wayne Douglas Kiefer (“Applicant”) of the following Administrative Order:

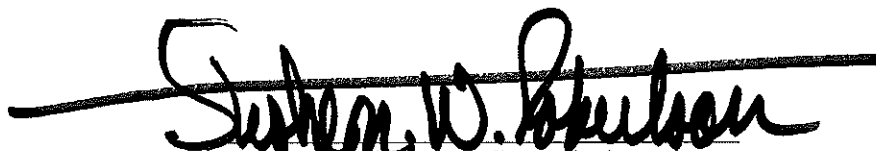
1. Applicant filed an application for licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on November 21, 2017.
2. Before approving an application, the Commissioner must find that the Applicant has met specific requirements under Indiana Code § 27-1-15.6-6 and Indiana Code § 27-1-15.6-12.
3. Indiana Code § 27-1-15.6-12(b)(1) provides that the Commissioner may refuse to issue or renew an insurance producer license for providing incorrect, 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 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.
5. Following a review of public records, the Commissioner being fully advised, now hereby notifies Applicant he has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12 based on Applicant's November 20, 2001 Class A Misdemeanor Theft conviction and failure to disclose this conviction on his application for licensure.
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 the 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).

1-5-2018

Date Signed


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Wayne Douglas Kiefer
2804 North 800 East
Marion, IN 46592

Taylor Peycha, Jr. Investigator
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204
Phone: 317-233-9432 Fax: 317 234-2103