

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 17184-AD18-0430-041

IN THE MATTER OF:

Jaron C. Lester  
1817 West Broadway  
Columbia, MO 65218

Applicant.

License Application #: 648339

Type of Agency Action: Enforcement

**FILED**

NOV 09 2018

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

On September 26, 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. The denial of Applicant's application for a non-resident producer's license is  
AFFIRMED.

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 9 day of November, 2018.

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Copies to:

Jaron Lester  
1817 West Broadway  
Columbia, MO 65218

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

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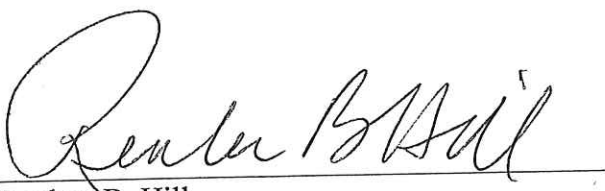
STATE OF INDIANA  
DEPT. OF INSURANCE

**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, the Parties must object to the  
order in a writing that: 1) Identifies the basis for the 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: 9/26/18

  
Reuben B. Hill  
Administrative Law Judge

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

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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 Jaron C. Lester ("Applicant"). This matter came on to be heard by the ALJ on August 21, 2018 at 10:00 a.m. at the Indiana Department of Insurance at 311 West Washington Street, Indianapolis, Indiana ("IDOI Hearing").

The Enforcement Division of the Indiana Department of Insurance ("Department") was represented by counsel, Erica J. Dobbs. Applicant appeared by telephone and without counsel. Testimony 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 a Non Resident Producer License on April 25, 2018.
2. On his application, Applicant disclosed that he previously held a Teacher's License in the state of Missouri.
3. Said license was revoked on January 12, 2016, by vote of the Missouri State Board of Education ("Board") due to Applicant's inappropriate romantic relationship with one of his students ("Student"). (Department's Exhibit 3)
4. Applicant was twenty-five (25) years old at the time of the relationship. The Student was seventeen (17) years old. (IDOI Hearing Transcript p. 28)
5. Prior to voting to revoke Applicant's license, the Board held a hearing on November 3, 2015 ("Board Hearing"). Applicant attended the Board Hearing in person and with counsel. Testimony was heard, and exhibits were received into evidence. (Department's Exhibit 4)
6. On December 17, 2015, the hearing officer for the Board ("Hearing Officer") entered her Findings of Fact, Conclusions of Law, and Recommended Order, recommending revocation of Applicant's teacher's license for "neglect of duty, immorality and incompetence based on his inappropriate relationship with a student". (Department's Exhibit 4)
7. The hearing Officer found that the Student was Applicant's girlfriend from November, 2013 to February, 2014. (Department's Exhibit 4 Paragraph 10)

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The parties of this action are hereby notified that the Administrative Law Judge's  
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To preserve an objection to this order for judicial review, the Parties must object to the  
order in a writing that: 1) Identifies the basis for the 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: 9/26/18

  
Reuben B. Hill  
Administrative Law Judge

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The Enforcement Division of the Indiana Department of Insurance ("Department") was represented by counsel, Erica J. Dobbs. Applicant appeared by telephone and without counsel. Testimony 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 a Non Resident Producer License on April 25, 2018.
2. On his application, Applicant disclosed that he previously held a Teacher's License in the state of Missouri.
3. Said license was revoked on January 12, 2016, by vote of the Missouri State Board of Education ("Board") due to Applicant's inappropriate romantic relationship with one of his students ("Student"). (Department's Exhibit 3)
4. Applicant was twenty-five (25) years old at the time of the relationship. The Student was seventeen (17) years old. (IDOI Hearing Transcript p. 28)
5. Prior to voting to revoke Applicant's license, the Board held a hearing on November 3, 2015 ("Board Hearing"). Applicant attended the Board Hearing in person and with counsel. Testimony was heard, and exhibits were received into evidence. (Department's Exhibit 4)
6. On December 17, 2015, the hearing officer for the Board ("Hearing Officer") entered her Findings of Fact, Conclusions of Law, and Recommended Order, recommending revocation of Applicant's teacher's license for "neglect of duty, immorality and incompetence based on his inappropriate relationship with a student". (Department's Exhibit 4)
7. The hearing Officer found that the Student was Applicant's girlfriend from November, 2013 to February, 2014. (Department's Exhibit 4 Paragraph 10)



8. Applicant testified at the IDOI Hearing that he was an inexperienced teacher, not mature enough to “navigate some of the ethical and moral boundaries of that position”. (IDOI Hearing Transcript p. 47)
9. Applicant testified that he received a Letter of Reprimand from his local school board in January, 2014, directing him not to have contact with any students outside the classroom. (IDOI Hearing Transcript p.29)
10. On February 27, 2014, the Student obtained an Order of Protection based on a petition alleging Applicant was stalking her. (Department’s Exhibit 4 Paragraph 18)
11. Applicant testified the Order of Protection was later dismissed without prejudice (IDOI Hearing Transcript p. 30)
12. Despite the January, 2014 Letter of Reprimand and February, 2014 Order of Protection, the Hearing Officer at the Board Hearing found that between November, 2013 and March, 2014, Applicant sent the Student several romantic written communications. (Department’s Exhibit 4 Paragraph 8)
13. The Hearing Officer further determined that Applicant gave the Student at least one (1) gift after receiving the Letter of Reprimand (Department’s Exhibit 4 Paragraph 15)
14. Applicant now disputes these findings, testifying that he did not have any contact with the Student after the Letter of Reprimand. (IDOI Hearing Transcript p. 29)
15. Applicant admitted nine (9) exhibits at the hearing. Applicant’s Exhibits A-F are all character reference letters. Applicant’s Exhibit G is a copy of his Kansas Non Resident Producer License. Applicant’s Exhibit H is the unsigned Final Order by Kansas Commissioner of Insurance granting Applicant his Kansas Non Resident Producer License. Applicant’s Exhibit I is a packet of Applicant’s licenses from twelve (12)

additional states together with excerpts from each of those states' Producer Licensing Statutes.

16. Applicant testified that his employer, Shelter Insurance, requires him to be licensed in all of the company's operating territories in order to maintain employment. (IDOI Hearing Transcript p 25)
17. Conclusions of Law that can be adopted as Findings of Fact are hereby incorporated herein as such.

### **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)(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.
5. Applicant's Missouri Teacher's License was revoked in 2016.
6. In considering Applicant's Teacher's License, the Hearing Officer for the Board specifically recommended revocation upon finding Applicant exhibited a neglect of duty, immorality, and incompetence, after determining that Applicant had engaged in an

inappropriate relationship with a Student, including having contact with the Student after receiving a Letter of Reprimand forbidding the same.

7. It is reasonable for the Commissioner to take an Applicant's professional licensing history, and the circumstances surrounding any actions taken against an Applicant's previously held professional licenses, into consideration when determining whether to grant Insurance Producer License.
8. 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 him a Non Resident Producer License and, therefore, bears the burden.
9. Pursuant to Indiana Code 27-1-15.6-12(d), a hearing was held to determine the reasonableness of the Commissioner's decision. Applicant failed to meet his burden of proving the Commissioner's decision was unreasonable.
10. 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 the **DENIAL** of Applicant's application for a Non Resident Producer License be affirmed.

**ALL OF WHICH IS ADOPTED** by the Administrative Law Judge and recommended to the

**Commissioner of Insurance** this 26 day of Sept, 2018

A handwritten signature in cursive script, appearing to read "Reuben B. Hill", written over a horizontal line.

Reuben B. Hill, Esq.  
Administrative Law Judge

**Distribution:**

Jaron Lester  
1817 West Broadway  
Columbia, MO 65218

Erica J. Dobbs, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, Indiana 46204



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**FILED**

JUN 01 2018

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 Jaron C. Lester ("Applicant") of the following Administrative Order:

1. Applicant filed an application for nonresident licensure with the Commissioner of the Indiana Department of Insurance ("Commissioner") on April 25, 2018.
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)(8) provides, in part, 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.

4. Following a review of materials submitted by Applicant in support of his 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)(8) due to the 2016 revocation of his Missouri teaching certificate and surrounding circumstances.
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 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)(8), due to the revocation of his Missouri teaching certificate. Applicant may reapply for licensure not less than one (1) year from the date of this order.

June 1, 2018

Date Signed



Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution to:

Jaron C. Lester  
1817 West Broadway  
Columbia, MO 65218

Erica J. Dobbs, Attorney  
ATTN: Calla Dain, Sr. Investigator  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204  
317 234-8687, fax 317 234-2103