

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 17347-AG18-0911-143

IN THE MATTER OF:)

Anthony J. Popovich)
2517 East Lake Shore Drive)
Crown Point, IN 46307)

Respondent.)

Type of Agency Action: Enforcement)

License Number: 1102009)

FILED

DEC 07 2018

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Erica J. Dobbs, and Anthony J. Popovich ("Respondent"), a licensed resident insurance producer; signed an Agreed Entry which purports to resolve all issues involved in the above-captioned cause number, and which has been submitted to the Commissioner of the Indiana Department of Insurance ("Commissioner") for approval.

The Commissioner, after reviewing the Agreed Entry, which permanently revokes Respondent's license for rebating and falsifying information in insurance applications, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry, attached, as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter as a resolution of this matter being Respondent's actions of rebating and falsifying insurance documents.

IT IS THEREFORE ORDERED by the Commissioner as follows:

1. Respondent's license number 1102009 shall be permanently revoked.
2. Respondent shall not reapply for licensure.
3. The Department agrees to accept this agreement as full resolution of this matter.

ALL OF WHICH IS ORDERED this 7 day of December 2018.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Erica J. Dobbs, Attorney
ATTN: Taylor Peycha, Investigator
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787

Anthony J Popovich
2517 East lake Shore Drive
Crown Point, IN 46307

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AGREED ENTRY

This Agreed Entry is executed by and between the Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Erica J. Dobbs, and Anthony J. Popovich ("Respondent") to resolve all issues in the above-captioned cause number. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner of the Indiana Department of Insurance ("Commissioner").

WHEREAS, Respondent is a licensed resident insurance producer, holding license number 1102009;

WHEREAS, Allstate Insurance Company ("Allstate") terminated Respondent for cause due to rebating and falsification of documents;

WHEREAS, Respondent included false information in insurance applications so that consumers would qualify for discounts that they would not have otherwise qualified for with Allstate, such as multi-policy discounts, early bird discounts, and continuous coverage discounts;

WHEREAS, Respondent and an employee exchanged email correspondence wherein Respondent participated in and approved rebating practices that were happening in his agency;

WHEREAS, Allstate compiled significant statistics and consumer testimonies showing that Respondent wrote additional insurance policies without the consumers' knowledge so that consumers would qualify for discounts that they otherwise would not have;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(2)(A) states, in part, that the Commissioner may revoke an insurance producer's license for violating an insurance law.

WHEREAS, Respondent's conduct is a violation of Indiana Codes §§ 27-1-20-30, 27-1-22-18, and 27-4-1-4(a)(8), which are insurance laws that, in part, prohibit insurance producers from paying, directly or indirectly, any rebate of or part of the premium payable on a policy;

WHEREAS, Respondent's conduct is a violation of Indiana Code § 27-1-15.6-12(b)(8), which states, in part, that the Commissioner may revoke 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;


WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve this matter without the necessity of a hearing.

IT IS, THEREFORE, NOW AGREED by and between the Parties as follows:

1. The Commissioner has jurisdiction over the subject matter and the Parties to this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the Parties.
3. Respondent voluntarily and freely waives the right to a public hearing on the issues in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.

5. Respondent's license shall be permanently revoked, effective the day the Commissioner enters his final order adopting this Agreed Entry.
6. The Department agrees to accept Respondent's compliance with this agreement as full satisfaction of this matter.
7. Respondent has carefully read and examined this agreement and fully understands its terms.
8. Respondent has entered into this agreement freely, and has not been subject to duress, threat, or undue influence.
9. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to, and consideration of this Agreed Entry by the Commissioner, shall not unfairly or illegally prejudice the Commissioner from further participation in or resolution of these proceedings.
10. Respondent is aware that failure to comply with any of the terms of this agreement will result in the matter being set for a hearing.

11/14/18
Date Signed


Erica J. Dobbs, Attorney #30588-49
Indiana Department of Insurance


11-8-18
Date Signed


Anthony J Popovich, Respondent

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me a Notary Public for LAKE County, State of Indiana,
personally appeared Anthony J Popovich and being first duly sworn by me upon his oath, says that
the facts alleged in the foregoing instrument are true.

Signed and sealed this 9th day of November, 2018.


Signature
ROBERTA A. VIERK
Printed

My Commission expires: 10/17/2021
County of Residence: LAKE

