

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE
CAUSE NO.: 17526-AD18-1108-092

IN THE MATTER OF:)
)
Richard M. Feary)
6641 Foxdale Cir.)
Colorado Springs, CO 80919)
)
Applicant.)
)
License Application #: 665435)
)
Type of Agency Action: Enforcement)

FILED
DEC 07 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 Richard M. Feary (“Applicant”) of the following Administrative Order:

1. Applicant filed an application for nonresident producer licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on August 18, 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)(6) provides, in part, that the Commissioner may refuse to issue an insurance producer license for having been convicted of a felony.
4. 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.

5. 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 Codes §§ 27-1-15.6-12(b)(6) and 27-1-15.6-12(b)(8) due to a 2015 conviction for Menacing With a Real or Simulated Weapon, a Level 5 Felony, out of the State of Colorado, and a 2004 conviction for Battery on a Spouse, a Misdemeanor, out of the State of California.
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 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)(6) and 27-1-15.6-12(b)(8), due to his criminal convictions. Applicant may reapply for licensure not less than one (1) year from the date of this order.

12-7-2018
Date Signed


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution to:

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