

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 17606-AD18-1127-104

IN THE MATTER OF:)

Brandon M. Utley)
7925 Drake Dr.)
Chandler, IN 47610)

Applicant.)

License Application #: 673290)

Type of Agency Action: Enforcement)

FILED

DEC 17 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 Brandon M. Utley (“Applicant”) of the following Administrative Order:

1. Applicant filed an application for resident licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on September 16, 2018.
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, in part, that the Commissioner may refuse to issue an insurance producer’s license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.
4. Indiana Code § 27-1-15.6-12(b)(6) provides, in part, that the Commissioner may refuse to issue an insurance producer’s license for having been convicted of a felony.

5. Following a review of public records, 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)(1) and § 27-1-15.6-12(b)(6) for failing to disclose a pending November 07, 2017 charge of Unlawful Possession of a Syringe, a Level 6 Felony, and the following criminal convictions:

- Furnishing Alcohol to a Minor, a Class B Misdemeanor, from 2001
- Conversion, a Class A Misdemeanor, from 2001
- Furnishing Alcohol to a Minor, a Class B Misdemeanor, from 2001
- Check Deception, a Class A Misdemeanor, from 2002
- Check Deception, a Class A Misdemeanor, from 2004
- Theft, a Class D Felony, from 2006
- Failure to Stop at an Accident, a Class C Misdemeanor, from 2006
- Theft, a Class D Felony, from 2008
- Battery, a Class D Felony, from 2010
- Possession of Paraphernalia, a Class A Misdemeanor, from 2012
- Theft, a Class D Felony, from 2013
- Leaving the Scene of an Accident, a Class C Misdemeanor, from 2017

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)(1), due Applicant's felony convictions and failure to disclose his criminal history on an application for licensure. Applicant may reapply for licensure not less than one (1) year from the date of this order.

12-17-2018
Date Signed


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution to:

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