

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 17112-AG18-0501-073

IN THE MATTER OF:)

Sylvia Gargett)
6977 E. Waco Dr.)
Syracuse, IN 46567)

Respondent.)

Type of Agency Action: Enforcement)

License Number: 466106)

FILED

SEP 13 2019

STATE OF INDIANA
DEPT. OF INSURANCE

ADMINISTRATIVE ORDER
NOTICE OF NONRENEWAL OF LICENSE

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 Sylvia Gargett (“Respondent”) of the following Administrative Order:

1. Respondent is a licensed resident producer holding license number 466106 since January 27, 2005.
2. Respondent’s license expired on July 31, 2019.
3. Respondent was employed by Northern Lakes Insurance, Inc. until February, 21, 2018, when Respondent was terminated for cause for violating agency practices.
4. On or about May 18, 2017, Respondent submitted a renter’s insurance claim to Auto Owners Insurance Company on behalf of a Client in the amount of sixty-three thousand seven hundred forty seven dollars and seven cents (\$63,740.07) for a fire related loss.

5. On or about July 31, 2017, Respondent wrote a homeowners policy with Progressive Southeastern Insurance Company (“Progressive”) for the same Client.
6. In completing the Progressive application for the Client, Respondent answered “No” when asked if the Client had any loss claims within the last five (5) years.
7. On November 3, 2017, Respondent submitted a homeowners claim to Progressive on behalf of the Client in the amount of sixty-two thousand fifteen dollars and seventy-nine cents (\$62,015.79) for another fire related loss.
8. Pursuant to Indiana Code § 27-1-15.6-12(b)(8), the Commissioner may refuse to renew 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.
9. Pursuant to Indiana Code § 27-1-15.6-12(b)(5), the Commissioner may refuse to renew an insurance producer’s license for intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance.
10. Indiana Code § 27-1-15.6-12(d) requires the Commissioner to notify a licensee of the reason for the nonrenewal of his license. This Order serves as that notice.
11. The Commissioner further notifies Respondent that, pursuant to Indiana Code § 27-1-15.6-12(d), Respondent may, within sixty three (63) days of the mailing of this Order, make a written demand upon the Commissioner for a hearing to determine the reasonableness of this action. Such a hearing shall be held within thirty (30) days from the date of receipt of Respondent’s written demand.

WHEREFORE, based on the foregoing, the Commissioner of Insurance hereby notifies Respondent that **her license shall not be renewed** for misrepresenting her Client's claim history on an application for a policy of insurance.

9-13-2019

Date Signed

A handwritten signature in black ink, appearing to read "Stephen W. Robertson", written over a horizontal line.

Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution List:

Sylvia Gargett
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Syracuse, IN 46567

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