

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 18827-AD19-1115-173

IN THE MATTER OF:)

Joseph G Mahaffey Jr.)
PO Box 6667)
Greenville, SC 29606)

Applicant.)

Type of Agency Action: Enforcement)

Application ID: 747030)

FILED

NOV 22 2019

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 Joseph G Mahaffey Jr. ("Applicant") of the following Administrative Order:

1. Applicant previously held Indiana nonresident producer licensure, under license number 968187, from August 1, 2014 through May 31, 2017.
2. Applicant filed an application to reinstate his nonresident licensure with the Commissioner of the Indiana Department of Insurance ("Commissioner") on October 24, 2019.
3. 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.
4. Indiana Code § 27-1-15.6-12(b)(1) provides, in part, that the Commissioner may refuse to issue or renew an insurance producer license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.

5. Indiana Code § 27-1-15.6-12(b)(8) provides, in part, that the Commissioner may refuse to issue or 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.
6. 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 Code § 27-1-15.6-12(b)(1) due to failing to disclose a May 7, 2018 consent order from the state of South Carolina, a July 25, 2018 Louisiana civil penalty, and a March 15, 2019 North Carolina settlement agreement.
7. 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 Code § 27-1-15.6-12(b)(8) due to his May 7, 2018 South Carolina consent order for changing customers' Agents of Record without their consent.
8. 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)(1) for failing to disclose administrative actions in an

application for licensure, pursuant to Indiana Code § 27-1-15.6-12(b)(8) for changing customers'

Agents of Record without their consent.

11-22-2019

Date Signed

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

Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution to:

Jeseph G Mahaffey Jr.
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