

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 18281-AG19-1118-176

IN THE MATTER OF:)
)
Shontell Y. Monroe)
1900 Cresswell Avenue,)
Shreveport, LA 71101-4730)
)
Respondent.)
)
Type of Agency Action: Enforcement)
)
License Number: 3441307)

F
FILED
JAN 24 2020
STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Victoria Hastings, and Shontell Yvette Monroe (“Respondent”), a licensed nonresident 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 accepts Respondent’s surrender of her Indiana nonresident producer license and agreement not to reapply for licensure for a period of twelve (12) months for having failed to timely report two (2) administrative actions to the Department, 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.

IT IS THEREFORE ORDERED by the Commissioner as follows:

1. Respondent shall surrender her Indiana nonresident producer's license #3441307 for a period of twelve (12) months and all authority Respondent has to conduct insurance business in the state of Indiana, effective immediately upon the date the Commissioner executes this Final Order.
2. Respondent shall not reapply for licensure in Indiana for a period of twelve (12) months, beginning the date the Commissioner executes this Final Order.

1-24-2020

Date Signed



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Victoria Hastings, Attorney
ATTN: Steven A. Embree, Insurance Investigator
Indiana Department of Insurance
311 West Washington St, Suite 103
Indianapolis, Indiana 46204-2787

Shontell Y. Monroe
1900 Cresswell Avenue,
Shreveport, LA 71101-4730

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 18281-AG19-1118-176

IN THE MATTER OF:

Shontell Y. Monroe
1900 Creswell Avenue,
Shreveport, LA 71101-4730

Respondent.

Type of Agency Action: Enforcement

License Number: 3441307

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JAN 24 2020

STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by and between the Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Victoria Hastings and Shontell Y. Monroe (“Respondent”), a licensed nonresident insurance producer, to resolve all issues in the above captioned matter. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner for the Indiana Department of Insurance (“Commissioner”).

WHEREAS, Respondent is a licensed Indiana nonresident insurance producer, holding license number 3441307;

WHEREAS, on June 26, 2019, the State of Michigan, Department of Insurance and Financial Services, denied Respondent a nonresident producer licensure due to a felony level conviction in the State of Louisiana for Possession of a Controlled Substance;

WHEREAS, Respondent did not report to the Department the administrative action taken by the State of Michigan on June 26, 2019, until September 27, 2019;

WHEREAS, on August 7, 2019, the South Dakota Department of Labor & Regulation, Division of Insurance, denied Respondent a nonresident producer licensure due to a felony level

conviction for Possession of a Controlled Substance in the State of Louisiana, and a misdemeanor conviction in the State of Texas for Failure to Identify – Fugitive;

WHEREAS, Respondent did not report to the Department the administrative action taken by the State of South Dakota on August 7, 2019, until September 25, 2019;

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 having violated an insurance law;

WHEREAS, Indiana Code § 27-1-15.6-17(a)) is an insurance law that states, in part, a producer shall report to the commissioner any administrative action taken against the producer in another jurisdiction or by another governmental agency in Indiana not more than thirty (30) days after the final disposition of the matter;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(9) states, in part, that the Commissioner may revoke an insurance producer's license for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory; and

WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve this matter without the necessity of an administrative 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. In order to avoid formal litigation in this matter, Respondent has determined that it is in her best interests to enter into this Agreed Entry. As such, Respondent acknowledges that she executes this Agreed Entry with full realization of its contents and effects.

3. This Agreed Entry is executed knowingly, voluntarily, and freely by the Parties. The Parties agree that the terms of this Agreed Entry constitute final resolution of this matter
4. Respondent knowingly, voluntarily and freely waives the right to a public hearing on this matter, including the right to appear in person before the Commissioner, present evidence, cross-examine witnesses, and present arguments.
5. Respondent knowingly, voluntarily and freely waives the right to judicial review of this matter or otherwise appeal or challenge the validity of this Agreed Entry.
6. Respondent knowingly, voluntarily, and freely waives, releases, and forever discharges all claims or challenges, known or unknown, against the Department, its Commissioner, employees, agents, and representatives, in their individual and official capacities, that arise out of or are related to the Agreed Entry or Final Order, including but not limited to any act or omission as part of the underlying audit, investigation, negotiation, or approval process.
7. Respondent shall surrender her Indiana nonresident producer license #3441307 for a period of twelve (12) months, and all authority Respondent has to conduct insurance business in the state of Indiana, effective immediately upon the date the Commissioner executes the Final Order adopting this Agreed Entry.

8. Respondent shall not reapply for licensure in Indiana for a period of twelve (12) months, beginning the date the Commissioner executes the Final Order adopting this Agreed Entry.
9. Respondent has carefully read and examined this Agreed Entry and fully understands its terms.
10. Respondent has had the opportunity to have this Agreed Entry reviewed by legal counsel of her choosing, at her own expense, and is aware of the benefits gained and obligations incurred by the execution of this Agreed Entry. Respondent understands and agrees that the Department cannot give her legal advice.
11. Respondent has entered into this Agreed Entry knowingly, voluntarily, and freely, and has not been subject to duress, coercion, threat, or undue influence.
12. This Agreed Entry constitutes the entire agreement between the Parties, and no other promises or agreements, express or implied, have been made by the Department or by any employee, director, agent or other representative thereof to induce Respondent to enter this Agreed Entry.
13. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full satisfaction of this matter, and warrants and represents that so long as Respondent complies with the terms of this Agreed Entry, the Department will not bring any further action against Respondent based on the facts that gave rise to this Agreed Entry.

14. In the event the Department finds there has been a breach of any of the provisions of this Agreed Entry, the Department may reopen this matter and pursue alternative action pursuant to Indiana Code § 27-1-15.6-12.
15. Respondent waives any applicable statute of limitations for purposes of any enforcement of the terms and conditions of this Agreed Entry.
16. Respondent acknowledges that this Agreed Entry may be admitted into evidence in any judicial or administrative proceeding against Respondent to enforce the terms and conditions contained herein.
17. Respondent understands that this Agreed Entry resolves only the matter pending with the Department and does not affect any criminal prosecution or civil litigation that may be pending or hereinafter commence against Respondent.
18. This Agreed Entry does not in any way affect the Department's authority in future audits, investigations, examinations, negotiations, or other complaints involving Respondent.
19. It is expressly understood that this Agreed Entry is subject to the Commissioner's acceptance and has no force or effect until such acceptance is evidenced by the entry of a Final Order by the Commissioner.
20. 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 or Respondent from further participation in or resolution of these proceedings.

21. If this Agreed Entry is accepted by the Commissioner, it will become part of Respondent's permanent record and may be considered in future actions brought by the Department or any other regulator against Respondent. It is further understood that, if accepted by the Commissioner, this Agreed Entry and resulting Final Order are public records pursuant to Indiana Code § 4-21.5-3-32 that may not be sealed or otherwise withheld from the public, and may be reported to the National Association of Insurance Commissioners and published on the Department's website as required.
22. Respondent acknowledges that this is an Administrative Action she may be required to report to other jurisdictions in which she is licensed and on future licensing applications.

1/23/2020

Date Signed



Victoria Hastings, Attorney #34052-29
Indiana Department of Insurance

01/17/2020

Date Signed



Shontell Y. Monroe, Respondent

STATE OF LOUISIANA)

PARISH OF CADDO) SS:

Before me a Notary Public for CADDO Parish, State of Louisiana, personally appeared Shontell Y. Monroe being first duly sworn by me upon her oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 17th day of JANUARY, 2020.

Herbert J. Doughty
Signature

HERBERT L. DOUGHTY, NOTARY PUBLIC
CADDO PARISH, LOUISIANA
Printed MY COMMISSION IS FOR LIFE
NOTARY ID # 9228

My Commission expires: With Life

County of Residence: CADDO

Return executed originals to:
INDIANA DEPARTMENT OF INSURANCE
Enforcement Division, Suite 103
311 West Washington Street
Indianapolis, IN 46204-2787
317/233-4243 - telephone
317/232-5251 - facsimile