

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 19200-IA20-0416-006

IN THE MATTER OF:

Modesto De La O
29 Rosshire Ct.,
Pontiac, MI 48341

Respondent.

Type of Agency Action: Enforcement

License Number: 1040377

FILED

JUN 18 2020

STATE OF INDIANA
DEPT. OF INSURANCE

ADMINISTRATIVE ORDER
NOTICE OF NONRENEWAL OF LICENSE

The Indiana Department of Insurance ("Department"), pursuant to Indiana Code § 4-21.5-1 *et seq.*, and Indiana Code § 27-1-28-18, hereby gives notice to Modesto De La O, ("Respondent") of the following Administrative Order:

1. Respondent is a licensed nonresident independent adjuster holding license number 1040377 since June 9, 2015 ("Respondent's license").
2. Respondent's license will expire on April 30, 2020.
3. On or about March 3, 2020, the Department discovered that Respondent was convicted of Operating While Intoxicated, a Third Degree Felony, out of the state of Michigan on February 1, 2017.
4. Respondent failed to timely report these criminal proceedings to the Department within thirty (30) days of the final disposition of the criminal matter, as required.
5. Respondent further failed to disclose these criminal proceedings in his March 2, 2018 application for license renewal.

6. Indiana Code § 27-1-28-18(b)(6) provides, in part, that the Commissioner may refuse to renew an independent adjuster's license for having been convicted of a felony.

7. Indiana Code § 27-1-28-18(b)(2) provides, in part, that the Commissioner may refuse to renew an independent adjuster's license for violating an insurance law.

8. Indiana Code § 27-1-28-22(b) is an insurance law that states that not more than thirty (30) days after the final disposition of the matter, an independent adjuster shall report to the Commissioner any criminal action taken against the independent adjuster, initiated in any jurisdiction.

9. Indiana Code § 27-1-28-18(b)(1) provides, in part, that the Commissioner may refuse to renew an independent adjuster's license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.

10. Indiana Code § 27-1-28-18(c) 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 § 27-1-28-18(c) Respondent may, within thirty (30) days of receiving 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 twenty (20) days from the date of receipt of Respondent's written demand.

WHEREFORE, based on the foregoing, the Commissioner of Insurance hereby notifies Respondent that **his license shall not be renewed** due to Respondent's felony conviction, his failure to timely report it to the Department, and his failure to disclose it on a license application.

6-18-2020

Date Signed



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

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

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