

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 19322-AD20-0422-071

IN THE MATTER OF:

Andrew B. Ruckstaetter
744 W. Wrightwood Ave., Unit 1,
Chicago, IL 60614-2540

Applicant.

Type of Agency Action: Enforcement

License Application #: 771963

FILED

JUN 12 2020

STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE DENIAL

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 Andrew B. Ruckstaetter ("Applicant") of the following Administrative Order:

1. Applicant submitted an application to activate his nonresident producer license with the Commissioner of the Indiana Department of Insurance ("Commissioner") on March 24, 2020.
2. Applicant's Indiana nonresident producer license was first issued on or around November 29, 2010, and it expired on September 30, 2017, due to Applicant's failure to submit a license renewal fee.
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)(2)(A) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for violating an insurance law.
5. Indiana Code § 27-1-15.6-17(a) is an insurance law, which states, in part, that 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.
6. Indiana Code § 27-15.6-12(b)(8) provides, in part, that the Commissioner may refuse to issue an insurance producer license for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana, or elsewhere.
7. Indiana Code § 27-1-15.6-12(b)(9) provides, in part, that the Commissioner may refuse to issue 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.
8. Following a review of materials submitted by the Applicant and 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)(2)(A), 27-1-15.6-17(a), 27-1-15.6-12(b)(8), and 27-1-15.6-12(b)(9) due to Applicant's disclosure, for the first time to the Department, on his March 24, 2020 application, a July 28, 2015, administrative action taken against Applicant by the State of Wisconsin, for misrepresentation of an insurance product, wherein Applicant's nonresident producer license was revoked by default, and Applicant's failure to timely notify the Commissioner of the administrative action within thirty (30) days of the final disposition while Applicant was previously licensed.

9. 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 applicant's 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)(2)(A), 27-1-15.6-17(a), 27-1-15.6-12(b)(8), and 27-1-15.6-12(b)(9), due to Applicant's misleading conduct in an administrative action, which resulted in a license revocation, and for Applicant's failure to timely report said administrative action to the Department while Applicant was previously licensed. Applicant may reapply for licensure not less than one (1) year from the date of this order.

6-12-2020

Date Signed



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution to:

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