

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO: 18427-AD19-1011-116

IN THE MATTER OF:)
)
Danielle Dunn)
6230 Roxburgh Pl.,)
Noblesville, IN 46062)
)
Respondent.)
)
License Number: 860930)
)
Type of Agency Action: Enforcement)

FILED

AUG 06 2020

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On June 24, 2020, the Administrative Law Judge, Reuben B. Hill, filed his Findings of Fact, Conclusions of Law and Recommended Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of law, and Recommended Order on Respondent by mailing the same to her address of record.

2. The Department has complied with the notice requirements of Ind. Code §4-21.5-3-17.

3. Neither party has filed an objection with the Commissioner regarding the Administrative Law Judge's Findings of Fact, Conclusions of Law and Recommended Order, and more than eighteen (18) days have elapsed.

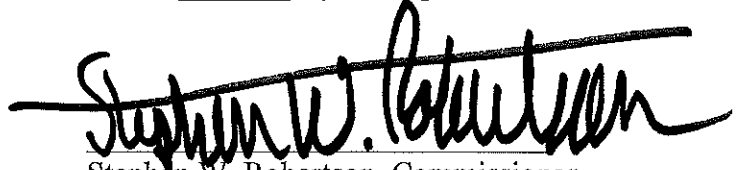
Therefore, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent's resident producer's license #860930 is permanently revoked.

Under Ind. Code §4-21.5-5-5, Respondent has the right to appeal this Final Order by filing a petition for Judicial review in the appropriate court within thirty (30) days.

ALL OF WHICH IS ORDERED by the Commissioner this 6 day of August, 2020.

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

Copies to:

Danielle Dunn
6230 Roxburgh Pl.,
Noblesville, IN 46062

Victoria Hastings, Attorney
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204

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CAUSE NUMBER: 18427-AD19-1011-116

IN THE MATTER OF:)

Danielle Dunn)
6230 Roxburgh Pl.)
Noblesville, Indiana 46062)

Respondent.)

Type of Agency Action: Enforcement)

License Number: 860930)

FILED

JUN 24 2020


STATE OF INDIANA
DEPT. OF INSURANCE

NOTICE OF FILING OF RECOMMENDED ORDER

The parties of this action are hereby notified that the Administrative Law Judge's Recommended Order is filed as of this date.

To preserve an objection to this order for judicial review, the Parties must object to the order in a writing that: 1) Identifies the basis for the objection with reasonable particularity; and 2) Is filed with the ultimate authority for the Final Order, the Commissioner of the Department of Insurance within eighteen (18) days from the date of this Order.

DATED: 6-10-20


Reuben B. Hill
Administrative Law Judge

STATE OF INDIANA)
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BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

IN THE MATTER OF:)
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Danielle Dunn)
6230 Roxburgh Pl.)
Noblesville, Indiana 46062)
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Respondent.)
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Type of Agency Action: Enforcement)
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License Application: 860930)

CAUSE NO.: 18427-AD19-1011-116

FILED

JUN 24 2020

STATE OF INDIANA
DEPT. OF INSURANCE

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND RECOMMENDED ORDER**

Administrative Law Judge Reuben B. Hill (“ALJ”), having heard, reviewed and considered all of the evidence, now renders a decision concerning the matter of Danielle Dunn (“Respondent”). This matter came to be heard by the ALJ in a two (2) day evidentiary hearing beginning with the first day on December 4, 2019, at 10:00 a.m., and ending with the second day on January 22, 2019, at 10:00 a.m. at the Indiana Department of Insurance at 311 West Washington Street, Indianapolis, Indiana.

The Enforcement Division of the Indiana Department of Insurance (“Department”) was represented by counsel, Victoria Hastings. Respondent appeared in person and without counsel

on the first day of the hearing on December 4, 2019. Respondent failed to appear, neither did an attorney on behalf of Respondent appear, on the second day of the hearing on January 22, 2020. Testimony was heard, and exhibits were received into evidence.

Based upon the evidence presented at said hearing, the ALJ now makes the following Findings of Fact, Conclusions of Law, and issues his Recommended Order.

FINDINGS OF FACT

1. Respondent has been a licensed Resident Insurance Producer, holding License Number 860930 since January 9, 2013.
2. The Enforcement Division of the Indiana Department of Insurance filed its Statement of Charges against Respondent on November 8, 2019.
3. Respondent was terminated for cause from Lynch Insurance Agency on or around April 26, 2019. Sharon Lynch is an independent contractor agent who owns Lynch Insurance Agency and was the employer of Respondent at the Lynch Insurance Agency. (Department's Exhibits 1, 5, 7)
4. Respondent was terminated for cause due to allegations of fraud, theft, or violating insurance related regulations, rules or industry standards of conduct. (Department's Exhibit 1)
5. An investigation was conducted by State Farm and the Lynch Insurance Agency into Respondent and her conduct while employed at the Lynch Insurance Agency. (Department's Exhibits 1,5,6,7; Hearing Transcript of December 4, 2019. (December Hearing Transcript, p. 14-16)
6. Respondent was inputting inaccurate information on insurance applications or quotes for insurance. (Department's Exhibits 5,6,7)

7. Respondent intentionally added inaccurate information such as the vehicle purchase date, prior insurance duration, bodily injury limits, and additional drivers on applications for the purpose of obtaining a lower premium rate for the customer. (Department's Exhibit 5)
8. Respondent added additional drivers to prospective insured's application for automobile insurance, where the relationship between the additional driver and the prospective insured was questionable. (Department's Exhibits 5,6,7)
9. Respondent added additional drivers who were not legitimate risk to the prospective insured on at least three (3) applications. (Department 's Exhibits 5,6,7)
10. Respondent added a "Ryan Krill" on the application for car insurance for a Marc Hernandez. Ryan Krill was listed on the application as a "roommate". It was revealed that in actuality, Ryan Krill was the car salesman who sold Mr. Hernandez the car, the same car that Mr. Hernandez was applying for car insurance. (Department's Exhibits 2,5,6)
11. Phil Holleman, the investigator for this case, testified that Sharon Lynch from Lynch Insurance Agency verified that Mr. Krill was the car salesman by talking to Mr. Hernandez herself. (Hearing Transcript of January 22, 2020.)
12. Respondent added a "Eric Champion" on the application for car insurance for a Lakisha Stringfield. Eric Champion was listed on the application as a "fiancé ". It was revealed that in actuality, Mr. Champion was a strategically added driver. (Department's Exhibits 3,5,6)
13. Mr. Holleman testified that "he [Mr. Champion] was not her [Mrs. Stringfield's] fiancé...they [State Farm and Lynch Insurance Agency] figured that the additional driver

- was put on there because it helped lower her rate” because he had a better driving record.
(January Hearing Transcript, p. 14-15)
14. Mr. Holleman testified that Ms. Lynch verified that Mr. Champion was a strategically added friend by emailing Ms. Stringfield herself. (January Hearing Transcript, p. 22)
 15. Respondent added a “Linda C. Tynes” on the application as a “parent/step-parent”. It was revealed that in actuality, Ms. Tynes was deceased at the time of application being submitted. (Department’s Exhibits 4,5,6)
 16. Mr. Holleman testified that “there’s definitely some fraudulent information in it. (Department’s Exhibit 4). The main one being that parent/step-parent was actually deceased...and was already deceased at the time of the policy”. (January Hearing Transcript, p. 17-18)
 17. Mr. Holleman testified that Ms. Lynch verified that Ms. Tynes was deceased by receiving an email from Ms. Trawley confirming that Ms. Tynes was deceased. (January Hearing Transcript, p. 22)
 18. Respondent would mark some applications as “own[ing] home” or “with a mortgage” and include a multi-line discount. (Department’s Exhibit 7)
 19. Additionally, Respondent added the address of 648 Washington Boulevard, Fort Eustis, Virginia on over 200 different auto quotes. The address of 648 Washington Boulevard, Fort Eustis, Virginia is the address for the Fort Eustis Fire Department. (Department’s Exhibit 7)
 20. Mr. Holleman testified that State Farm verified all of the information and concerning allegations it had with regards to Respondent. (January Hearing Transcript, p. 20)

21. Respondent continued the December 4, 2019, hearing in order to consult with an attorney. (December Hearing Transcript, p. 20)
22. Respondent contacted the investigator for this matter, Phil Holleman, on or about January 13, 2020, via a phone call and informed him that she was unable to get an attorney. (January Hearing Transcript, p.8)
23. Respondent also informed Mr. Holleman on that January 13, 2020, phone call that she would not continue with the hearing. (January Hearing Transcript, p. 8)
24. Respondent subsequently sent an email to Mr. Holleman on or about January 13, 2020, stating that she understood that the Department would still have to proceed with the hearing, and understood that the Department was seeking to revoke her license. (January Hearing Transcript, p. 8)
25. Respondent failed to appear for the second day of the hearing, which was held on January 22, 2020. (January Hearing Transcript, p. 7)
26. Respondent did not hire an attorney to represent her for the administrative matter, and no attorney was present on her behalf at the January 22, 2020 hearing. (January Hearing Transcript, p. 7-8)
27. Conclusions of Law that can be adopted as Findings of Fact are hereby incorporated herein as such.

CONCLUSIONS OF LAW

1. The Commissioner of the Indiana Department of Insurance (“Commissioner”) has jurisdiction over both the subject matter and the parties to this action.
2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code.

3. Indiana Code 27-1-15.6-12(b) authorizes the Commissioner to permanently revoke an Insurance Producer License, due to a number of factors.
4. Indiana Code 27-1-15.6-12(b)(8) authorizes the Commissioner to permanently revoke 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.
5. Respondent intentionally added inaccurate information such as the vehicle purchase date, prior insurance duration, bodily injury limits, and additional drivers on applications for the purpose of obtaining policy eligibility or a lower premium rate for the customer.
6. Indiana Code 4-21.5-3-14(c) states that the person requesting an agency take action has the burden of persuasion and the burden of going forward. The Department is requesting that the Commissioner revoke Respondent's Resident Producer License.
7. The Department has met its burden of showing Respondent violated Indiana Code 27-1-15.6-12(b)(8) and that Respondent's Resident Producer License should be revoked.
8. Indiana Code 4-21.5-3-24 states, in part, that if a party fails to attend or participate in a hearing, the Administrative Law Judge may serve upon all parties written notice of a Proposed Default Order, including a state of grounds. Within seven (7) days after service of a Proposed Default Order, Respondent may file a written motion requesting the Proposed Default Order not be imposed and stating the grounds relied upon.
9. Findings of Fact that can be adopted as Conclusions of Law are hereby incorporated herein as such.

RECOMMENDED ORDER

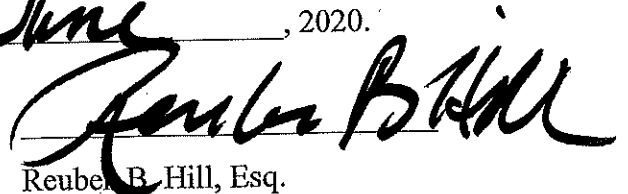
IT IS THEREFORE RECOMMENDED:

In consideration of the foregoing Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the **Commissioner of Insurance** the following:

That Respondent's Resident Producer License Number 860930 be permanently **REVOKED**, effective the date the Final Order is issued.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the

Commissioner of Insurance this 10th day of June, 2020.


Reuben B. Hill, Esq.
Administrative Law Judge

Distribution:

Danielle Dunn
6230 Roxburgh Pl.
Noblesville, Indiana 46062

Victoria Hastings, Attorney
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, Indiana 46204

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Type of Agency Action: Enforcement)

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NOV 08 2019

STATE OF INDIANA
DEPT. OF INSURANCE

STATEMENT OF CHARGES

The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Victoria Hastings, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.*, files its Statement of Charges against Danielle Dunn (“Respondent”) as follows:

FACTS

1. Danielle Dunn (“Respondent”) is a licensed resident insurance producer, holding license number 860930 since January 9, 2013.
2. Respondent’s license is due for renewal on April 30, 2021.
3. Respondent was terminated for cause from Lynch Insurance Agency for alleged dishonest practices involving quotes for perspective policyholders.
4. It is believed that Respondent was intentionally adding additional drivers who were not legitimate risks to a prospective consumer’s automobile quotes for the purpose of gaining policy eligibility for the prospective consumer, or reducing the premium for the prospective consumer.

5. It is further believed that Respondent was intentionally entering inaccurate information, such as vehicle purchase date, prior insurance duration, bodily injury limits, and additional drivers on applications for the purpose of obtaining a lower premium rate for the customer.

CHARGES

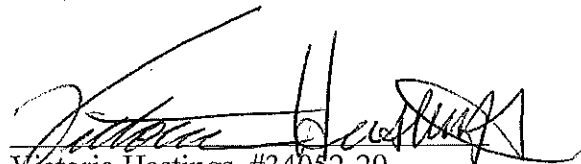
COUNT I

1. Averments 1 through 5 are incorporated fully herein by reference.
2. Respondent's conduct is in violation of Indiana Code § 27-1-15.6-12(b)(8), which provides, in part, that the Commissioner may revoke 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.

WHEREFORE, the Enforcement Division of the Indiana Department of Insurance, by counsel, Victoria Hastings, requests that the Commissioner set this matter for a hearing pursuant to Indiana Code § 4-21.5, and:

1. Issue an order permanently revoking Respondent's resident producer license;
2. Grant all other relief just and proper in the premises.

Respectfully submitted,

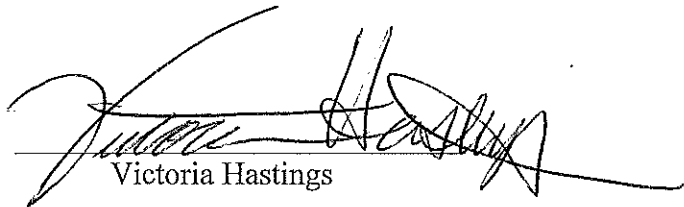

Victoria Hastings, #34052-29
Attorney, Enforcement Division

Victoria Hastings, attorney
Indiana Department of Insurance
Enforcement Division
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787
Telephone: (317) 234-2101
Facsimile: (317) 232-5251

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served upon the following Respondent by
United States first class mail, postage prepaid, the same day as filing.

Danielle Dunn
6230 Roxburgh Pl.,
Noblesville, IN 46062


Victoria Hastings