

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 18931-AG20-0526-90

IN THE MATTER OF: )

Theresa Heavenridge )  
502 W County Road 450 N., )  
Muncie, IN 47303 )

Respondent. )

License Number: 3208936 )

Type of Agency Action: Enforcement )

**FILED**

**AUG 06 2020**

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Victoria Hastings, and Theresa Heavenridge (“Respondent”), a licensed resident 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.

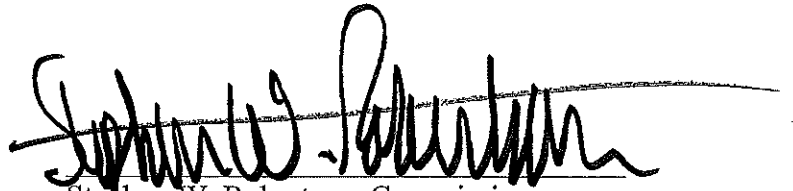
The Commissioner, after reviewing the Agreed Entry, which accepts Respondent’s surrender of her resident producer license and agreement not to reapply for licensure due to Respondent’s theft of premium from her employer, finds it has been entered into fairly and without fraud, duress, or undue influence, 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 resolution of this matter.

**IT IS THEREFORE ORDERED** by the Commissioner of Insurance:

1. Respondent's surrender of her resident producer license number 3208936, along with all authority Respondent has to conduct insurance business in the State of Indiana is accepted, effective the date of this Final Order.
2. Respondent shall not reapply for licensure.

8-16-2020

Date Signed



Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Victoria Hastings, Attorney  
ATTN: Dennis Wood, Supervising Investigator  
Indiana Department of Insurance  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787

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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 Theresa Heavenridge ("Respondent"), a resident insurance producer licensed to do business in Indiana, 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 resident insurance producer, holding license number 3208936 since December 12, 2016;

WHEREAS, Respondent's supervisor was requested by State Farm to audit the supervisor's premium accounts on November 3, 2019;

WHEREAS, the supervisor requested Respondent's assistance in getting together the information that would be needed to audit the account;

WHEREAS, the following day, November 4, 2019, the Respondent told her supervisor that the account would not pass an audit due to her not depositing \$213.57, which she kept for her use;

WHEREAS, her supervisor terminated Respondent from his employment immediately for this theft, and State Farm notified the Department of her termination was for cause;

WHEREAS, the supervisor subsequently discovered that there had been other instances of theft from deposits by the Respondent, totaling over \$800;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(4) states, in part, that the Commissioner may reprimand, levy a civil penalty, place an insurance producer on probation, suspend an insurance producer's license, revoke an insurance producer's license for a period of years, or permanently revoke an insurance producer's license, or refuse to issue or renew an insurance producer license for improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(8) states, in part, that the Commissioner may reprimand, levy a civil penalty, place an insurance producer on probation, suspend an insurance producer's license, revoke an insurance producer's license for a period of years, or permanently revoke an insurance producer's license, or refuse to issue or renew 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;  
and

WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve their differences and settle the issues 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 agrees to surrender her Indiana resident producer's license number 3208936, 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.

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.

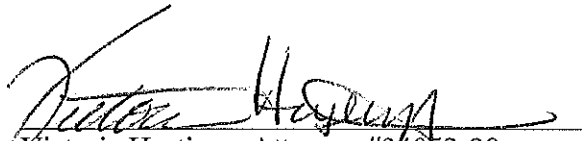
16. Respondent acknowledges that this Agreed Entry may be admitted into evidence in any judicial or administrative proceeding against Respondent to enforce the terms and conditions contained herein.
17. Respondent understands that this Agreed Entry resolves only the matter pending with the Department 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.

8/4/2020

Date Signed



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

7/29/2020

Date Signed

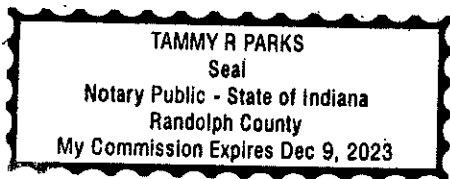
  
Theresa Heavenridge, Respondent



STATE OF INDIANA )  
COUNTY OF Delaware ) SS:

Before me a Notary Public for Delaware County, State of Indiana, personally appeared Theresa Heavenridge, and being first duly sworn by me upon her oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 28<sup>th</sup> day of July, 2020.



Tammy R Parks  
Signature  
TAMMY R PARKS  
Printed

My Commission expires: Dec 9, 2023  
County of Residence: Randolph

**Return executed originals to:**  
INDIANA DEPARTMENT OF INSURANCE  
Enforcement Division, Suite 103  
311 West Washington Street  
Indianapolis, IN 46204-2787  
317/234-5885 - telephone  
317/234-2103- facsimile

OFFICE OF THE NOTARY PUBLIC  
STATE OF INDIANA  
JUL 28 2020  
TAMMY R. PARKS  
NOTARY PUBLIC