

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 19090-AG20-0707-103

IN THE MATTER OF: )

Brian Simms )  
2108 Roselawn Dr., )  
Lebanon, IN 46052 )

Respondent. )

Type of Agency Action: Enforcement )

License Number: 415445 )

**FILED**

**AUG 13 2020**

STATE OF INDIANA  
DEPT. OF INSURANCE

**ADMINISTRATIVE ORDER AND**  
**NOTICE OF NONRENEWAL OF LICENSE**

The Indiana Department of Insurance ("Department"), pursuant to 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 Brian Simms, ("Respondent") of the following Administrative Order:

1. Respondent is a licensed resident insurance producer holding license number 415445 ("Respondent's license") since February 8, 2002.
2. Respondent's license expired on June 30, 2020.
3. On or about December 10, 2019, the Department was advised by the Indiana Department of Revenue that Respondent had a sixteen thousand, five hundred and one dollars and seventy-two cents (\$16,501.72) arrearage in Indiana state income taxes, dating back to January 9, 2014.
4. Indiana Code § 27-1-15.6-12(b)(14) provides, in part, that the Commissioner may refuse to renews a producer's license for failing to pay state income tax or comply with any administrative or court order directing payment of state income tax .

5. Indiana Code § 27-1-15.6-12(d) provides that when the Commissioner refuses to renew a license, the Commissioner shall notify the Respondent, in writing, of the reasons for the nonrenewal. This Order serves as that notice.

6. The Commissioner further notifies Respondent that, pursuant to Indiana Code § 27-1-15.6-12(d), Respondent may, within sixty-three (63) days of the mailing of 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 thirty (30) days from the date of receipt of Respondent's written demand.

WHEREFORE, based on the foregoing, the Commissioner of Insurance hereby notifies Respondent that **Respondent's license shall not be renewed** due to Respondent's failure to pay Indiana state income taxes.

**8-13-2020**

Date Signed



Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Victoria Hastings, Attorney  
ATTN: Calla Dain, Insurance Investigator  
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Brian Simms  
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