

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 19377-AD20-0528-091

IN THE MATTER OF:)

Matthew Randall Trahan)
2030 43rd Street S.,)
St. Petersburg, FL 33711-3024)

Applicant.)

Type of Agency Action: Enforcement)

License Number: 3109453)

FILED

DEC 10 2020

STATE OF INDIANA
DEPT. OF INSURANCE

AMENDED 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 Matthew Randall Trahan ("Applicant") of the following Administrative Order:

1. Applicant held a nonresident producer's license from September 30, 2015, until it expired on February 28, 2018, due to a failure to renew.
2. Applicant submitted an application to reinstate his nonresident producer license 3109453 with the Commissioner of the Indiana Department of Insurance ("Commissioner") on April 6, 2020.
3. The Commissioner issued a Preliminary Administrative Order and Notice of License Denial against Applicant on July 23, 2020.
4. There was a clerical error in the July 23, 2020, Preliminary Administrative Order and Notice of License Denial, which incorrectly identified Applicant as "Randall M. Trahan", instead of Applicant's correct name, which is Matthew Randall Trahan.

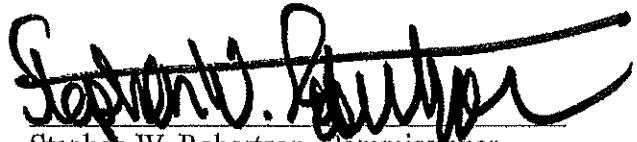
5. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-1-15.6-8 and Indiana Code § 27-1-15.6-12.
6. Indiana Code § 27-1-15.6-12(b)(2)(A) provides, in part, that the Commissioner may refuse to issue or renew an insurance producer's license for violating an insurance law.
7. Indiana Code § 27-1-15.6-17(b) is an insurance law that provides, in part, an insurance producer shall report to the Commissioner any criminal prosecution of the producer initiated in any jurisdiction not more than thirty (30) days after an initial pretrial hearing date.
8. Indiana Code § 27-1-15.6-12(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.
9. Following a review of materials submitted by 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), 27-1-15.6-12(b)(8) and 27-1-15.6-17(b) due to Applicant's criminal history, which includes a conviction from June 6, 2017, for Violation of an Injunction for Protection Against Domestic Violence, a First Degree Misdemeanor, in the State of Florida, and failure to timely notify the Commissioner of a criminal prosecution while Applicant was previously licensed.
10. 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.

11. This is considered an agency action. This action has been initiated by the aforementioned authority. If you choose to appeal this agency action, the State of Indiana Office of Administrative Law Proceedings ("OALP") will assign an administrative law judge to preside over this matter, and subsequently you will be contacted by the OALP with more information to begin the administrative process.

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), 27-1-15.6-12(b)(8) and 27-1-15.6-17(b) due to Applicant's criminal history, and Applicant's failure to timely notify the Commissioner of a criminal prosecution. Applicant may reapply for licensure not less than one (1) year from the date of this order.

12-10-2020

Date Signed


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Matthew Randall Trahan
2030 43rd Street S.,
St. Petersburg, FL 33711-3024

Victoria Hastings, Attorney
ATTN: Steven A. Embree, Investigator
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204
317 234-5883, Fax 317 234-2103

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STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE DENIAL

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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.
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7. Following a review of materials submitted by 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), 27-1-15.6-12(b)(8) and 27-1-15.6-17(b) due to Applicant's criminal history, which includes a conviction from June 6, 2017, for Violation of an Injunction for Protection Against Domestic Violence, a First Degree Misdemeanor, in the State of Florida, and failure to timely notify the Commissioner of a criminal prosecution while Applicant was previously licensed.
8. 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)(1), 27-1-15.6-12(b)(8) and 27-1-15.6-17(b) due to Applicant's

criminal history, and Applicant's failure to timely notify the Commissioner of a criminal prosecution.

Applicant may reapply for licensure not less than one (1) year from the date of this order.

7-23-2020

Date Signed



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Randall M. Trahan
2030 43rd Street S.,
St. Petersburg, FL 33711-3024

Victoria Hastings, Attorney
ATTN: Steven A. Embree, Investigator
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204
317 234-5883, Fax 317 234-2103