

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 19872-AG20-1007-183

IN THE MATTER OF:)
)
Rachel Sue Simms)
2108 Roselawn Dr.,)
Lebanon, IN 46052)
)
Respondent.)
)
Type of Agency Action: Enforcement)
)
Producer's License #: 925792)

FILED
OCT 22 2020
STATE OF INDIANA
DEPT. OF INSURANCE

ADMINISTRATIVE ORDER
NOTICE OF NONRENEWAL OF LICENSE

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 Rachel Sue Simms, ("Respondent") of the following Administrative Order:

1. Respondent is a licensed resident insurance producer holding license number 925792 since December 17, 2013 ("Respondent's license").
2. Respondent's license expired on September 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 renew an insurance 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) requires the Commissioner to notify a licensee of the reason for the nonrenewal of the licensee's license. 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.

7. 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.

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.

10-22-2020

Date Signed



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Victoria Hastings, Attorney
ATTN: Ronda Ankney, Deputy Commissioner, CPU
Indiana Department of Insurance
311 West Washington St., Suite 103
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Rachel Sue Simms
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