

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 19598-AD20-1215-161

IN THE MATTER OF:)
)
James A. Brazelton)
4301 Cambridge Road,)
Fort Worth, TX 76155-2627)
)
Applicant.)
)
Type of Agency Action: Enforcement)
)
License Application #: 789911)

FILED

FEB 16 2021

STATE OF INDIANA
DEPT. OF INSURANCE

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 James A. Brazelton (“Applicant”) of the following Administrative Order:

1. Applicant’s Indiana nonresident producer license number 849272 was first issued on or around October 25, 2012.
2. Applicant’s Indiana nonresident producer license expired on or around May 31, 2017, due to Applicant’s failure to renew.
3. Applicant applied to reactivate his Indiana nonresident producer license on July 9, 2020.
4. 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.


5. Indiana Code § 27-1-15.6-12(b)(1) provides, in part, that the Commissioner may refuse to issue an insurance producer license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.
6. 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, dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana, or elsewhere.
7. Indiana Code § 27-1-15.6-12(b)(2)(A) provides, in part, that the Commissioner may refuse to issue a producer's license for violating an insurance law.
8. Indiana Code § 27-1-15.6-17(a) is an insurance law, that states that a producer shall report to the Commissioner any administrative action taken against the producer in another jurisdiction or by another governmental agency in Indiana not more than thirty (30) days after the final disposition of the matter.
9. Indiana Code § 27-1-15.6-12(b)(9) provides, in part, that the Commissioner may refuse to issue a producer's license for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.
10. Following a review of public records and the materials submitted by the Applicant, 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), 27-1-15.6-17(a), and 27-1-15.6-12(b)(9), due to Applicant's failure to timely report the following administrative actions to the Department, two of which include a license revocation, when Applicant was previously licensed:

- a. On July 6, 2016, the State of Ohio issued an Order of Revocation against Applicant due to outstanding monetary obligations and liens and failing to respond to their inquiry;
- b. On August 3, 2016, the State of Washington, Office of the Commissioner, issued an Order Revoking License, due to a failure to report the Ohio administrative action; and
- c. On November 2, 2016, the State of Georgia issued a Notice of Order of License Suspension due Applicant's failure to report the administrative actions from Ohio and Washington.

11. Following a review of public records and the materials submitted by the Applicant, 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)(1) and 27-1-15.6-12(b)(8), due to Applicant's failure to disclose the aforementioned three administrative actions on his July 9, 2020 application for licensure.
12. 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.
13. 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)(1), 27-1-15.6-12(b)(8), 27-1-15.6-12(b)(2)(A), 27-1-15.6-17(a), and 27-1-15.6-12(b)(9) due to Applicant's failure to disclose three (3) administrative actions on his application for licensure, which include two license revocations, and for Applicant's failure to timely report those administrative actions to the Department when Applicant was previously licensed. Applicant may reapply for licensure not less than one (1) year from the date of this order.

2-16-2021
Date Signed


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

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