

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 19804-AG20-0917-169

IN THE MATTER OF: )  
 )  
Kimberly Tyson )  
2451 NW 41<sup>st</sup> St, Unit 302, )  
Lauderhill, FL 33313 )  
 )  
Applicant. )  
 )  
Type of Agency Action: Enforcement )  
 )  
License Application #: 802372 )

FILED

FEB 18 2021

STATE OF INDIANA  
DEPT. OF INSURANCE

**PRELIMINARY ADMINISTRATIVE ORDER**  
**AND NOTICE OF LICENSE DENIAL**


The Indiana Department of Insurance, 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 Kimberly Tyson (“Applicant”) of the following Administrative Order:

1. Applicant filed an application for nonresident producer licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on August 26, 2020.
2. 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.
3. 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.
4. Indiana Code § 27-1-15.6-12(b)(6) provides, in part, that the Commissioner may refuse to issue a producer license for having been convicted of a felony.

5. Following a review of materials submitted by Applicant in support of her application, the Commissioner being fully advised, now hereby notifies Applicant that she 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)(6) due to her criminal history, which includes a conviction from February 23, 2004, for Delivery of a Controlled Substance-Marijuana, a Felony; and due to Applicant's failure to disclose a February 18, 2019, administrative action from Florida on her application for licensure.
6. 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 application is mailed, make written demand to the Commissioner for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action.
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.

**IT IS THEREFORE ORDERED** that Applicant's request for licensure is hereby **DENIED** pursuant to Indiana Codes §§ 27-1-15.6-12(b)(1) and 27-1-15.6-12(b)(6) due to Applicant's felony conviction and for her failure to disclose her 2019 denial of license in Florida. Applicant may reapply for licensure not less than one (1) year from the date of this order.

2-18-2021  
Date Signed

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution to:

Kimberly Tyson  
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