

STATE OF INDIANA )  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

IN THE MATTER OF: )

Samantha Valadez )  
13708 Golden Grove Ave. )  
Dyer, IN 46311 )

Respondent. )

CAUSE NO.: 18684-AG19-1015-150  
DOI-0121-000062

**FILED**

**JUN 23 2021**

STATE OF INDIANA  
DEPT. OF INSURANCE

Type of Agency Action: Enforcement )

License Application Number: 735983 )

**FINAL ORDER**

On April 23, 2021, the Administrative Law Judge, Reuben B. Hill, filed his Findings of Fact, Conclusions of Law and Recommended Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of law, and Recommended Order and Notice of Filing Recommended Order on Respondent by mailing the same to her address of record.

2. The Department has complied with the notice requirements of Ind. Code §4-21.5-3-17.

3. Neither party has filed an objection with the Commissioner regarding the Administrative Law Judge's Findings of Fact, Conclusions of Law and Recommended Order, and more than eighteen (18) days have elapsed.

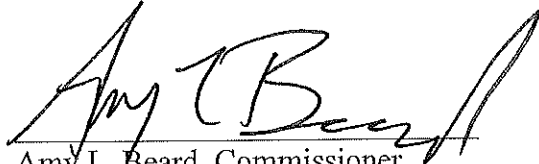
Therefore, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent's resident producer license under license application number 735983 is  
Permanently REVOKED.

Under Ind. Code §4-21.5-5-5, Respondent has the right to appeal this Final Order by filing a petition for Judicial review in the appropriate court within thirty (30) days.

ALL OF WHICH IS ORDERED by the Commissioner this 23<sup>rd</sup> day of June, 2021.



Amy L. Beard, Commissioner  
Indiana Department of Insurance

Copies to:

Samantha Valadez  
13708 Golden Grove Ave.  
Dyer, IN 46311

Victoria Hastings, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
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CAUSE NO: 18684-AG19-1015-150

IN THE MATTER OF:                     )  
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Samantha Jo Valadez                    )  
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Dyer, IN 46311                         )  
  )  
Applicant.                                )  
  )  
License Application #: 735983           )  
  )  
Type of Agency Action: Enforcement    )

**STATEMENT OF CHARGES**

The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Victoria Hastings, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.*, files its Statement of Charges against Samantha Jo Valadez (“Applicant”) as follows:

**FACTS**

1. Samantha Jo Valadez (“Applicant”) applied for a resident insurance producer license on September 16, 2019.
2. Applicant failed to disclose her criminal history on her application for licensure.
3. On February 10, 2009, Applicant was convicted of Conversion, a Class A Misdemeanor, in the State of Indiana.
4. Applicant failed to disclose the 2009 misdemeanor conviction on her application for licensure.
5. Applicant and the Department had previously entered into an Agreed Entry on or about October 29, 2019, to resolve the matter of Applicant’s criminal history, and her failure to disclose the same on her application.

6. The Agreed Entry and Final Order stipulated that Applicant shall pay a civil penalty in the amount of two hundred fifty dollars (\$250) to the Department within thirty (30) days of the Commissioner's Final Order. The Agreed Entry and Final Order also stipulated that Applicant shall be placed on probation for a period of two (2) years, which would begin on the date of the Commissioner's Final Order.
7. The Commissioner issued his Final Order on November 15, 2019, resolving the matter of Applicant's conviction for Conversion, and failure to disclose the same on her application for licensure.
8. Applicant failed to pay the civil penalty of two hundred fifty dollars (\$250) to the Department within thirty (30) days of the Commissioner's November 15, 2019 Final Order.
9. The Final Order stated that during the probationary period for Applicant, any violation of Title 27 of the Indiana Code would result in the Department seeking immediate revocation of Applicant's license.
10. Applicant's failure to pay the civil penalty to the Department within the thirty (30) days of the Commissioner's November 15, 2019 Final Order, is a violation of an order of the Commissioner, and thereby a violation of Title 27 of the Indiana Code.
11. The Agreed Entry stipulated that, "in the event the Department finds there has been a breach of any of the provisions of this Agreed Entry, the Department may reopen this matter and pursue alternative action pursuant to Indiana Code § 27-1-15.6-12".

## **CHARGES**

### **COUNT I**

1. Averments 1 through 11 are incorporated fully herein by reference.

2. Applicant's conduct is in violation of Indiana Code § 27-1-15.6-12(b)(2)(D), which provides, in part, that the Commissioner may revoke an insurance producer's license for violating an order of an insurance commissioner.

### **COUNT II**

1. Averments 1 through 11 are incorporated fully herein by reference.
2. Applicant's conduct is a violation of Indiana Code § 27-1-15.6-12 (b)(1), which provides, in part, that the Commissioner may revoke an insurance producer's license for having a providing incorrect, misleading, incomplete, or materially untrue information in a license application.

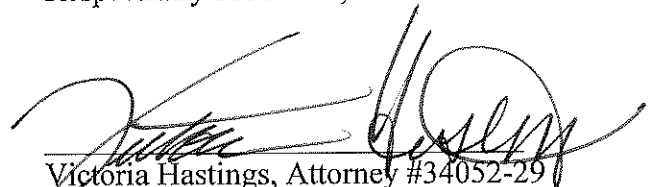
### **COUNT III**

1. Averments 1 through 11 are incorporated fully herein by reference.
2. Applicant's conduct is a violation of Indiana Code § 27-1-15.6-12 (b)(8), which provides, in part, that the Commissioner may revoke an insurance producer's license for having using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.

**WHEREFORE**, the Enforcement Division of the Indiana Department of Insurance, by counsel, Victoria Hastings, requests that the Commissioner set this matter for a hearing pursuant to Indiana Code § 4-21.5, and:

1. Issue an order permanently revoking Applicant's resident producer license;
2. Issue an order requiring Applicant to pay the civil penalty of two hundred and fifty (\$250) dollars to the Department; and
3. Grant all other relief just and proper in the premises.

Respectfully submitted,



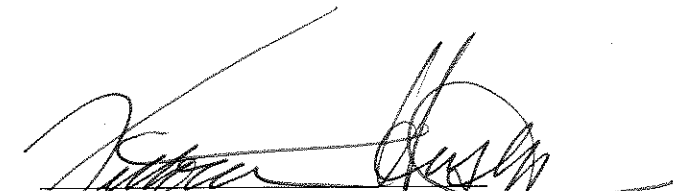
Victoria Hastings, Attorney #34052-29  
Enforcement Division

Victoria Hastings, Attorney  
Indiana Department of Insurance  
Enforcement Division  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787  
Telephone: (317) 234-2101  
Facsimile: (317) 232-5251

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing has been served upon the following Applicant by  
United States first class mail, postage prepaid, the same day as filing.

Samantha Jo Valadez  
13708 Golden Grove Ave.,  
Dyer, IN 46311



Victoria Hastings

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
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CAUSE NO.: 18684-AG19-1015-150

IN THE MATTER OF:         )

Samantha Jo Valadez         )  
13708 Golden Grove Ave.,    )  
Dyer, IN 46311                )

Applicant.                    )

Type of Agency Action: Enforcement    )

Application ID: 735983         )

**FILED**

NOV 15 2019

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

The Indiana Department of Insurance ("Department"), by counsel, Victoria Hastings, and Samantha Jo Valadez ("Applicant"), a resident producer applicant, signed an Agreed Entry which purports to resolve all issues involved in the above-captioned cause number, and which has been submitted to the Commissioner of the Indiana Department of Insurance ("Commissioner") for approval.

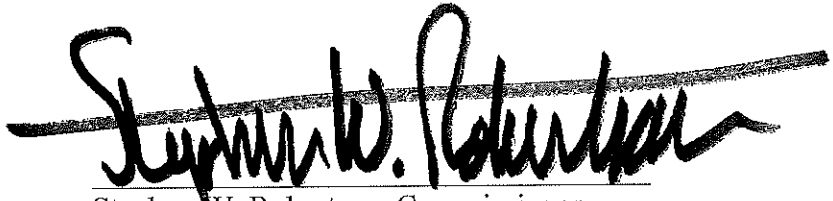
The Commissioner, after reviewing the Agreed Entry, which imposes a civil penalty in the amount of two hundred and fifty dollars (\$250), and places Applicant on probation for a period of two (2) years for failing to disclose a February 10, 2009, misdemeanor conviction for Conversion, a Class A Misdemeanor; finds it has been entered into fairly and without fraud, duress or undue influence, and it is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry, attached, as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner as follows:

1. Applicant's resident producer license shall be approved, and Applicant shall pay a civil penalty in the amount of two hundred and fifty dollars (\$250) to the Department within thirty (30) days after the Commissioner signs this Final Order.
2. Applicant shall be placed on probation for a period of two (2) years, beginning the date of this Final Order. During the probationary period, any violation of Title 27 of the Indiana Code will result in the Department seeking immediate revocation of Applicant's license.

**11-15-2019**

Date Signed

A handwritten signature in black ink, appearing to read "Stephen W. Robertson", written over a horizontal line.

Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Victoria Hastings, Attorney  
ATTN: Melissa Higgins, Investigator  
Indiana Department of Insurance  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787

Samantha Jo Valadez  
13708 Golden Grove Ave.,  
Dyer, IN 46311



STATE OF INDIANA )  
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Type of Agency Action: Enforcement )

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**FILED**

NOV 15 2019

STATE OF INDIANA  
DEPT. OF INSURANCE

**AGREED ENTRY**

This Agreed Entry is executed by and between the Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Victoria Hastings, and Samantha Jo Valadez ("Applicant"), to resolve all issues in the above-captioned cause number. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner of the Indiana Department of Insurance ("Commissioner").

WHEREAS, on September 16, 2019, Applicant applied for a resident producer's license;

WHEREAS, on February 10, 2009, Applicant was convicted of a misdemeanor for Conversion, a Class A Misdemeanor, in the State of Indiana;

WHEREAS, Applicant failed to disclose the 2009 misdemeanor conviction on her application for licensure;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(1) states, in part, that the Commissioner may place an insurance producer on probation and levy a civil penalty against a producer for

providing incorrect, misleading, incomplete, or materially untrue information in a license application;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(8) states, in part, that the Commissioner may place an insurance producer on probation and levy a civil penalty against a producer for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere; and

WHEREAS, the Department and Applicant (collectively, the "Parties") desire to resolve this matter without the necessity of a hearing.

IT IS, THEREFORE, NOW AGREED by and between the Parties as follows:

1. The Commissioner has jurisdiction over the subject matter and the Parties to this Agreed Entry.
2. In order to avoid formal litigation in this matter, Applicant has determined that it is in her best interest to enter into this Agreed Entry. As such, Applicant acknowledges that she executes this Agreed Entry with full realization of its contents and effects.
3. This Agreed Entry is executed knowingly, voluntarily, and freely by the Parties. The Parties agree that the terms of this Agreed Entry constitute final resolution of this matter.
4. Applicant knowingly, voluntarily and freely waives the right to a public hearing on this matter, including the right to appear in person before the

Commissioner, present evidence, cross-examine witnesses, and present arguments.

5. Applicant knowingly, voluntarily and freely waives the right to judicial review of this matter or otherwise appeal or challenge the validity of this Agreed Entry.
6. Applicant knowingly, voluntarily, and freely waives, releases, and forever discharges all claims or challenges, known or unknown, against the Department, its Commissioner, employees, agents, and representatives, in their individual and official capacities, that arise out of or are related to the Agreed Entry or Final Order, including but not limited to any act or omission as part of the underlying audit, investigation, negotiation, or approval process.
7. Applicant's resident producer license shall be approved, and Applicant agrees to pay a civil penalty in the amount of two hundred and fifty dollars (\$250) to the Department within thirty (30) days after the Commissioner signs the Final Order adopting this Agreed Entry.
8. Applicant shall be placed on probation for a period of two (2) years, beginning the date the Commissioner signs the Final Order adopting this Agreed Entry. During the probationary period any violation of Title 27 of the Indiana Code will result in the Department seeking immediate revocation of Applicant's license.
9. Applicant has carefully read and examined this Agreed Entry and fully understands its terms.

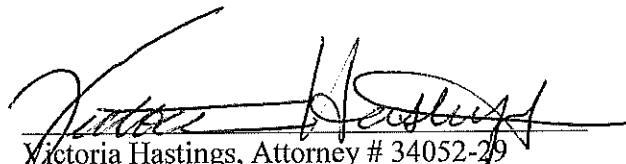
10. Applicant has had the opportunity to have this Agreed Entry reviewed by legal counsel of her choosing, at her own expense, and is aware of the benefits gained and obligations incurred by the execution of this Agreed Entry. Applicant understands and agrees that the Department cannot give her legal advice.
11. Applicant has entered into this Agreed Entry knowingly, voluntarily, and freely, and has not been subject to duress, coercion, threat, or undue influence.
12. This Agreed Entry constitutes the entire agreement between the Parties, and no other promises or agreements, express or implied, have been made by the Department or by any employee, director, agent or other representative thereof to induce Applicant to enter this Agreed Entry.
13. The Department agrees to accept Applicant's compliance with the terms of this Agreed Entry as full satisfaction of this matter, and warrants and represents that so long as Applicant complies with the terms of this Agreed Entry, the Department will not bring any further action against Applicant based on the facts that gave rise to this Agreed Entry.
14. In the event the Department finds there has been a breach of any of the provisions of this Agreed Entry, the Department may reopen this matter and pursue alternative action pursuant to Indiana Code § 27-1-15.6-12.
15. Applicant waives any applicable statute of limitations for purposes of any enforcement of the terms and conditions of this Agreed Entry.

16. Applicant acknowledges that this Agreed Entry may be admitted into evidence in any judicial or administrative proceeding against Applicant to enforce the terms and conditions contained herein.
17. Applicant understands that this Agreed Entry resolves only the matter pending with the Department and does not affect any criminal prosecution or civil litigation that may be pending or hereinafter commence against Applicant.
18. This Agreed Entry does not in any way affect the Department's authority in future audits, investigations, examinations, negotiations, or other complaints involving Applicant.
19. It is expressly understood that this Agreed Entry is subject to the Commissioner's acceptance and has no force or effect until such acceptance is evidenced by the entry of a Final Order by the Commissioner.
20. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to, and consideration of this Agreed Entry by the Commissioner, shall not unfairly or illegally prejudice the Commissioner or Applicant from further participation in or resolution of these proceedings.
21. If this Agreed Entry is accepted by the Commissioner, it will become part of Applicant's permanent record and may be considered in future actions brought by the Department or any other regulator against Applicant. It is further understood that, if accepted by the Commissioner, this Agreed Entry and resulting Final Order are public records pursuant to Indiana Code § 4-21.5-3-32 that may not be sealed or otherwise withheld from the public, and may be

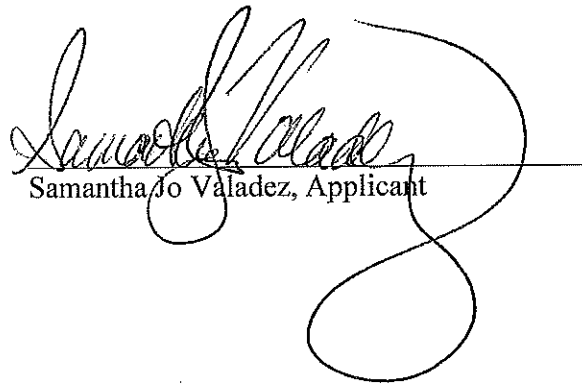
reported to the National Association of Insurance Commissioners and published on the Department's website as required.

22. Applicant acknowledges that this is an Administrative Action she may be required to report to other jurisdictions in which she is licensed and on future licensing applications.

10/29/2019  
Date Signed

  
Victoria Hastings, Attorney # 34052-29  
Indiana Department of Insurance

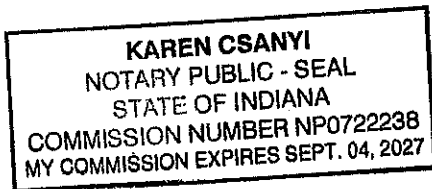
10/23/2019  
Date Signed

  
Samantha Jo Valadez, Applicant

STATE OF INDIANA )  
COUNTY OF Lake ) SS:

Before me a Notary Public for Lake County, State of Indiana,  
personally appeared Samantha Jo Valadez, and being first duly sworn by me upon her oath,  
says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 23 day of October, 2019.



Karen Csanyi  
Notary Signature  
Karen Csanyi  
Notary Printed

My Commission expires: 9/4/27

County of Residence: Lake