

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO: 19923-AD21-0203-026

IN THE MATTER OF:

Emelvin M Floyd
1773 Wells Branch Parkway, Apt. 201,
Austin, TX 78728

Respondent.

Type of Agency Action: Enforcement

License Number: 3150871

FILED

MAY 25 2021

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 Emelvin M Floyd (“Respondent”) of the following Administrative Order:


1. Respondent is a licensed nonresident insurance producer holding license number 3150871 (“Respondent’s license”) since April 8, 2016.
2. Respondent’s license expired on November 30, 2020.
3. Respondent was indicted on or about May 9, 2019 for Criminal Trespass of a Habitat, a Class A Misdemeanor.
4. On January 30, 2020, Respondent entered into a deferred adjudication plea agreement for Criminal Trespass of a Habitat, a Class A Misdemeanor, was placed on probation for fifteen (15) months.
5. On September 21, 2020, Respondent informed the Department of his criminal charge.

6. Respondent failed to report his criminal charge to the Department within thirty (30) days of the initial pretrial hearing.
7. Indiana Code § 27-1-15.6-12(b)(2)(A) states, in part, that the Commissioner may refuse to renew an insurance producer's license for violating an insurance law.
8. Indiana Code § 27-1-15.6-17(b) is an insurance law, which states, in part, that a producer shall report to the Commissioner any criminal prosecutions of the producer initiated in any jurisdiction not more than thirty (30) days after the initial pretrial hearing date.
9. Indiana Code § 27-1-15.6-12(d) provides that when the Commissioner refuses to renew a license, the Commissioner shall notify the Respondent, in writing, of the reasons for the nonrenewal. This Order serves as that notice.
10. 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.
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.

WHEREFORE, based on the foregoing, the Commissioner of Insurance hereby notifies Respondent that **Respondent's license shall not be renewed** due to Respondent failing to failing to timely report his criminal charge to the Department.

5-25-2021

Date Signed


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Victoria Hastings, Attorney
ATTN: Taylor Peycha, Sr. Investigator
Indiana Department of Insurance
311 W Washington St., Suite 103
Indianapolis, IN 46204-2787

Emelvin M Floyd
1773 Wells Branch Parkway
Apartment 201
Austin, TX 78728