

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 20049-AD21-0317-053

IN THE MATTER OF:)

Brian Laurence Rose)
18665 Midway Road, Apt. 2216,)
Dallas, TX 75287)

Applicant.)

Type of Agency Action: Enforcement)

License Application #: 824377)

FILED

JUN 22 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 Brian Laurence Rose (“Applicant”) of the following Administrative Order:

1. Applicant filed an application to reactivate his nonresident producer licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on October 31, 2020.
2. Applicant previously held a nonresident producer license from March 29, 2007 through March 31, 2011 when he failed to renew, and again from September 2, 2016 through March 30, 2019 when he requested to cancel his license.
3. 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.

4. 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.
5. Indiana Code § 27-1-15.6-12(b)(2)(A) provides, in part, that the Commissioner may refuse to issue an insurance producer license for violating an insurance law.
6. Indiana Code § 27-1-15.6-7(a) is an insurance law, that states in part, 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.
7. 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, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in Indiana or elsewhere.
8. Indiana Code § 27-1-15.6-12(b)(9) provides, in part, that the Commissioner may refuse to issue an insurance producer license for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.
9. Following a review of public records, the Commissioner being fully advised, now hereby notifies Applicant he has not fully met the requirements of licensure as stated by Indiana Codes §§ 27-1-15.6-12(b)(1) & 27-1-15.6-12(b)(8) based on Applicant failing to disclose his December 13, 1995 withheld adjudication for Obtaining Property Worthless Check, a 3rd Degree Felony charge on his March 22, 2007 and August 31, 2016 applications for licensure.

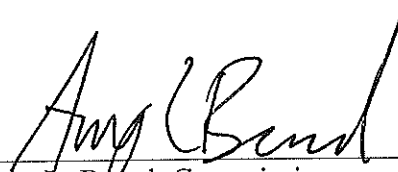
10. Following a review of public records, the Commissioner being fully advised, now hereby notifies Applicant he has not fully met the requirements of licensure as stated by Indiana Codes §§ 27-1-15.6-12(b)(2)(A) and 27-1-15.6-17(a) based on Applicant failing to timely report the following administrative actions to the Department when Applicant was previously licensed:
 - a. an administrative action from September 21, 2016, from the Florida Department of Insurance, wherein they issued a license denial; and
 - b. an administrative action from March 27, 2017, from the State of North Carolina, wherein Applicant surrendered his license.
11. Following a review of public records, the Commissioner being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(1) and Indiana Code 27-1-15.6-12(b)(9) based on Applicant failing to disclose his September 21, 2016 Florida Department of Insurance Denial and March 27, 2017 North Carolina Surrender on his previous license applications, and for having a license denial.
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 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)(2)(A), 27-1-15.6-17(a), and 27-1-15.6-12(b)(9) due to Applicant's failure to fully disclose his criminal history on his previous applications for licensure, Applicant's administrative actions, which include a license denial, Applicant's failure to timely report the same while previously being licensed, and for Applicant's failure to disclose the same on his current application for licensure. Applicant may reapply for licensure not less than one (1) year from the date of this order.

6/22/21

Date Signed



Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution to:

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