

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF MARION     )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 20278-AD21-0318-057

IN THE MATTER OF:       )

James Adger               )  
13138 Carrollwood Creek Dr.   )  
Tampa, FL 33624           )

Applicant.                )

Type of Agency Action: Enforcement   )

License Application #: 838229        )

**FILED**

**JUN 14 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 James Adger ("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 January 12, 2021.
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)(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.

5. 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.
6. Following a review of public records and the materials submitted by Applicant in support of his application, 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), 27-1-15.6-12(b)(8) due to Applicant's criminal history and failure to disclose the same on his application for licensure, specifically, Applicant's February 12, 2001 conviction for Possession of Marijuana, a Class A Misdemeanor.
7. Following a review of public records and the materials submitted by Applicant in support of his application, 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)(9) due to Applicant's following administrative actions, which include multiple license denials and multiple license revocations:
  - a. on July 18, 2008, Applicant's nonresident producer's license was denied in Wisconsin due to a failure to make required disclosure on an application;
  - b. on December 4, 2013, Applicant's nonresident producer's license was denied in Wisconsin for failing to make required disclosure on application and for a late or incomplete response;

- c. on August 16, 2014, Applicant's nonresident producer's license was denied in Colorado due to a failure to make required disclosure on license application;
- d. on March 1, 2015, North Carolina Department of Insurance had a complaint filed and in their investigation they discovered Applicant's denials and revocations of his licenses from other states. Applicant settled with North Carolina via a voluntary surrender of Applicant's nonresident producer's license;
- e. on June 10, 2015, California revoked Applicant's nonresident producer's license due to other state administrative actions and failure to respond;
- f. on September 30, 2015, Missouri agreed to a voluntary surrender of Applicant's nonresident producer's license due to failure to report other state actions and a complaint investigation;
- g. on November 9, 2018, Indiana denied Applicant's application for a nonresident producer's license due to a failure to report other state actions;
- h. on November 22, 2019, Indiana denied Applicant's application for nonresident producer's license due to failure to report other state actions;
- i. on February 7, 2020, Louisiana revoked his nonresident producer's license for failure to report other state actions; and
- j. on October 16, 2020, North Carolina revoked his nonresident producer's license for failure to report other state actions.

- 8. 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.

9. 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) and 27-1-15.6-12(b)(9) due to Applicant's multiple administrative actions, which involved multiple license revocations and license denials, and for Applicant's failure to disclose a 2001 misdemeanor. Applicant may reapply for licensure not less than one (1) year from the date of this order.

6/19/21  
Date Signed

  
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Amy L. Beard, Commissioner  
Indiana Department of Insurance

Distribution to:

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