

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 20316-AG21-0318-065

IN THE MATTER OF:)
)
Kimberly Renee Taylor,)
1574 Old Ford Road)
New Albany, IN 47150)
)
Respondent.)
)
Type of Agency Action: Enforcement)
)
License Number: 3530246)

FILED
MAY 26 2021
STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Victoria Hastings, and Kimberly Renee Taylor (“Respondent”), a licensed resident insurance producer, 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 five hundred dollar (\$500) civil penalty against, and places Respondent’s resident producer license on a probation for two (2) years, during which time Respondent will be required to submit a list of appointments to the Department every six (6) months, and requires Respondent to report the outcome of the criminal charges withing thirty (30) days of the final disposition of the matter due to Respondent failing to timely report pending criminal charges, and for failing to disclose the same on a license application to add a qualification, finds it has been entered into fairly and without fraud, duress or undue influence, and 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 resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner as follows:

1. Respondent's application to add a qualification under application number 844128, shall be approved contingent upon Respondent's timely payment of the civil penalty. Respondent shall pay a civil penalty in the amount of five hundred dollars (\$500) to the Department within thirty (30) days after the Commissioner signs this Final Order. Failure to timely pay the civil penalty, may result in the Department denying Respondent's application to add a qualification.
2. Respondent's resident producer license under license number 3530246 shall be placed on probation for a period of two (2) years, beginning the date the Commissioner signs this Final Order.
3. During the probationary period, any violations of Title 27 of the Indiana Code will result in the Department seeking immediate revocation of Respondent's license.
4. During the probationary period, Respondent will be required to submit a current list of appointments to the Department every six (6) months from the date of this Final Order via email at: Enforcement@idoi.in.gov.
5. Respondent shall inform the Department the outcome of her criminal case under cause number 22D01-2010-F6-001705 within thirty (30) days of the final

disposition of the matter. Failure to timely notify the Department about the final disposition of the matter, may result in the Department seeking immediate revocation of Respondent's license.

5-26-2021

Date Signed



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Kimberly Renee Taylor
1574 Old Ford Road,
New Albany, IN 47150

Victoria Hastings, Attorney
ATTN: Taylor Peycha, Investigator
Indiana Department of Insurance
311 West Washington Street, Suite 300
Indianapolis, IN 46204

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STATE OF INDIANA
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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 Kimberly Renee Taylor (“Respondent”), 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, Respondent is a licensed resident insurance producer, holding license number 3530246 since March 8, 2020;

WHEREAS, Respondent was charged with Maintaining a Common Nuisance, a Level 6 Felony; and Possession of Marijuana, a Class B Misdemeanor;

WHEREAS, Respondent’s initial pre-trial hearing in the criminal matter was held on November 6, 2020;

WHEREAS, Respondent failed to report the criminal prosecution to the Department within thirty days of the initial pre-trial hearing;

WHEREAS, Respondent's submitted application number 844128 to add a qualification on February 9, 2021;

WHEREAS, on Respondent's license application to add a qualification, Respondent failed to disclose her pending criminal charges;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(1) states, in part, that the Commissioner may levy a civil penalty and place a producer on probation for providing incorrect, misleading, incomplete, or materially untrue information in a license application;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(2)(A), states, in part, that the Commissioner may levy a civil penalty and place a producer on probation for violating an insurance law;

WHEREAS, Indiana Code § 27-1-15.6-7(b) is an insurance law, that states in part, that not more than thirty (30) days after an initial pretrial hearing date, a producer shall report to the Commissioner any criminal prosecution of the producer initiated in any jurisdiction; and

WHEREAS, the Department and Respondent (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, Respondent has determined that it is in her best interest to enter into this Agreed Entry. As such, Respondent 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. Respondent 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. Respondent 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. Respondent 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. Respondent's application to add a qualification under application number 844128, shall be approved contingent upon Respondent's timely payment of the civil penalty. Respondent shall pay a civil penalty in the amount of five hundred dollars (\$500) to the Department within thirty (30) days after the Commissioner signs the Final Order adopting this Agreed Entry. Failure to timely pay the civil penalty, may result in the Department denying Respondent's application to add a qualification.
8. Respondent's resident producer license under license number 3530246 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

violations of Title 27 of the Indiana Code will result in the Department seeking immediate revocation of Respondent's license . During the probationary period, Respondent shall submit a current list of appointments to the Department every six (6) months from the date of the Final Order via email at: Enforcement@idoi.in.gov.

9. Respondent shall inform the Department the outcome of her criminal case under cause number 22D01-2010-F6-001705 within thirty (30) days of the final disposition of the matter. Failure to timely notify the Department about the final disposition of the matter, may result in the Department seeking immediate revocation of Respondent's license.
10. Respondent has carefully read and examined this Agreed Entry and fully understands its terms.
11. Respondent 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. Respondent understands and agrees that the Department cannot give her legal advice.
12. Respondent has entered into this Agreed Entry knowingly, voluntarily, and freely, and has not been subject to duress, coercion, threat, or undue influence.
13. 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 Respondent to enter this Agreed Entry.
14. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full satisfaction of this matter, and warrants and represents that so long as Respondent complies with the terms of this Agreed Entry, the Department will not

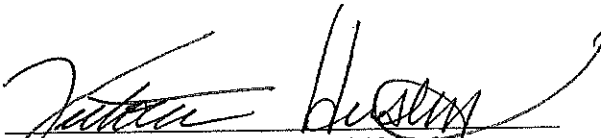
bring any further action against Respondent based on the facts that gave rise to this Agreed Entry.

15. 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.
16. Respondent waives any applicable statute of limitations for purposes of any enforcement of the terms and conditions of this Agreed Entry.
17. Respondent acknowledges that this Agreed Entry may be admitted into evidence in any judicial or administrative proceeding against Respondent to enforce the terms and conditions contained herein.
18. Respondent 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 Respondent.
19. This Agreed Entry does not in any way affect the Department's authority in future audits, investigations, examinations, negotiations, or other complaints involving Respondent.
20. 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.
21. 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 Respondent from further participation in or resolution of these proceedings.

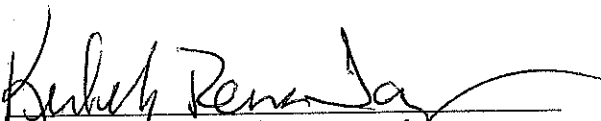
22. If this Agreed Entry is accepted by the Commissioner, it will become part of Respondent's permanent record and may be considered in future actions brought by the Department or any other regulator against Respondent. It is further understood that, if accepted by the Commissioner, this Agreed Entry 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.

23. Respondent 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.

5/18/2021
Date Signed


Victoria Hastings, Attorney 34052-29
Indiana Department of Insurance

5-12-2021
Date Signed


Kimberly Renee Taylor, Respondent

STATE OF INDIANA)
) SS:
COUNTY OF Floyd)

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

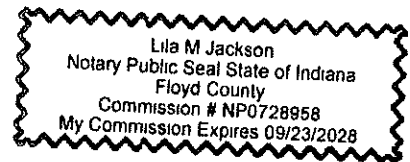
Signed and sealed this 12th day of May, 2021.

Lila M Jackson
Signature

LILA M JACKSON
Printed

My Commission expires: 9/23/2028

County of Residence: Floyd



Return executed originals to:
INDIANA DEPARTMENT OF INSURANCE
Enforcement Division, Suite 103
311 West Washington Street
Indianapolis, IN 46204-2787
317/234-5883 - telephone
317/234-2103 - facsimile