

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO: 20336-AG21-0324-068

IN THE MATTER OF:)
)
Timothy Tanner)
2365 Harrodsburg Rd., Ste. A300,)
Lexington, KY 40504)
)
Respondent.)
)
Type of Agency Action: Enforcement)
)
License Number: 284623N)

FILED
JUN 14 2021
STATE OF INDIANA
DEPT. OF INSURANCE

ADMINISTRATIVE ORDER AND
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 Timothy Tanner ("Respondent") of the following Administrative Order:


1. Respondent is a licensed nonresident insurance producer holding license number 284623N ("Respondent's license") since April 29, 1998.
2. Respondent's license expired on February 28, 2021.
3. On February 23, 2021, the Respondent submitted an application for renewal of his nonresident producer's license.
4. On Respondent's renewal application, Respondent disclosed his criminal history to the Department for the first time.
5. On November 22, 2019, Respondent was charged with Strangulation 2nd Degree, a Felony, in Lexington, KY.

6. Respondent's initial pre-trial hearing in the criminal case was held on November 25, 2019.
7. On December 10, 2019, Respondent pleaded guilty to and was convicted of Harassment (Physical Contact) No Injury, a Class B Misdemeanor.
8. Respondent failed to timely report his criminal prosecution to the Department within the thirty days from his initial pre-trial hearing.
9. Indiana Code § 27-1-15.6-12(b)(8) states, in part, that the Commissioner may refuse to renew an insurance producer's license for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.
10. 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.
11. Indiana Code § 27-1-15.6-17(b) is an insurance law that states 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.
12. 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.
13. 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.

14. 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 timely report a criminal prosecution to the Department and for the nature of Respondent's misdemeanor conviction.

6/14/21
Date Signed


Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution:

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