

STATE OF INDIANA)
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

IN THE MATTER OF:)
Velika Shantel Bender)
2001 Godby Rd., Apartment C4)
College Park, GA 303349)
Respondent.)
Type of Agency Action: Enforcement)
License Application Number: 761874)

FILED
SEP 29 2021
STATE OF INDIANA
DEPT. OF INSURANCE

CAUSE NO.: 193311-AD20-0417-067

FINAL ORDER

On October 19, 2020, the Administrative Law Judge, Reuben B. Hill, filed his Findings of Fact, Conclusions of Law and Recommended Default Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of law, and Recommended Default Order and Notice of Filing Recommended Default Order on Respondent by mailing the same to her address of record.

2. The Department has complied with the notice requirements of Ind. Code §4-21.5-3-17.

3. Neither party has filed an objection with the Commissioner regarding the Administrative Law Judge's Findings of Fact, Conclusions of Law and Recommended Default Order, and more than eighteen (18) days have elapsed.

Therefore, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Default Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Refusal to issue Respondent's non-resident producer license is

AFFIRMED.

Under Ind. Code §4-21.5-5-5, Respondent has the right to appeal this Final Order by filing a petition for Judicial review in the appropriate court within thirty (30) days.

ALL OF WHICH IS ORDERED by the Commissioner this 29th day of September, 2021.



Amy L. Beard, Commissioner
Indiana Department of Insurance

Copies to:

Velika Shantel Bender
2001 Godby Rd., Apartment C4
College Park, GA 303349

Victoria Hastings, Attorney
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 19311-AD20-0417-067

IN THE MATTER OF:)

Velika Shantel Bender)
2001 Godby Road)
Apartment C4)
College Park, GA 303349)

Applicant.)

Type of Agency Action: Enforcement)

License Application Number: 761874)

FILED

OCT 19 2020

STATE OF INDIANA
DEPT. OF INSURANCE

NOTICE OF FILING OF RECOMMENDED ORDER

The parties of this action are hereby notified that the Administrative Law Judge's
Recommended Order is filed as of this date.

To preserve an objection to this order for judicial review, the Parties must object to the
order in a writing that: 1) Identifies the basis for the objection with reasonable particularity; and
2) Is filed with the ultimate authority for the Final Order, the Commissioner of the Department of
Insurance within eighteen (18) days from the date of this Order.

DATED: 10/19/20



Reuben B. Hill
Administrative Law Judge

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

STATE OF INDIANA
DEPT. OF INSURANCE

DEFAULT ORDER

1. The Commissioner of the Indiana Department of Insurance (“Commissioner”) filed his Preliminary Administrative Order and Notice of License Denial on June 18, 2020.

2. On June 30, 2020, Applicant made her request for an Evidentiary Hearing.
3. An Evidentiary Hearing was scheduled and held on August 20, 2020 at 11:00 a.m.
via audio conferencing.
4. Applicant appeared telephonically, and without counsel.
5. The Applicant disconnected from the hearing, after approximately forty (40) minutes into the hearing.
6. The Administrative Law Judge, and the Department waited for approximately twenty (20) for Applicant to re-join the hearing.
7. Applicant never re-joined the hearing.
8. Applicant never contacted the Department following the hearing.
9. Applicant never informed the Department about what happened, and how she was disconnected from the hearing.
10. Applicant never requested that the hearing be re-scheduled.
11. As the party requesting that the Commissioner take action in granting her request for a Resident Producer License, Applicant has the burden of persuasion and the burden of going forward, per Indiana Code 4-21.5-3-14(c).
12. Applicant never reached out to the Department requesting that the hearing be re-scheduled, or provided an explanation as to how or why Applicant was disconnected from the hearing.

13. Pursuant to Indiana Code 4-21.5-3-24, at any stage of a proceeding, if a party fails to attend or participate in a pre-hearing conference, hearing, or other stage of the proceeding, the ALJ may serve upon all parties written notice of a default order or dismissal order, including a statement of the grounds. This Default Order serves as that notice.

14. Within seven (7) days after service of a default or dismissal order, the party against whom it was issued may file a written motion requesting that the Default Order not be imposed and stating the grounds relied upon.

15. The ALJ shall issue the Default or Dismissal Order, if the party fails to file a written motion.

ORDER

IT IS THEREFORE RECOMMENDED:

In consideration of the foregoing Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the **Commissioner of Insurance** the following:

1. The ALJ hereby notifies all parties of his Default Order that the Commissioner's refusal to issue Applicant's Non-Resident Producer License be **AFFIRMED**.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner of Insurance this 19th day of October, 2020.



Reuben B. Hill, Esq.
Administrative Law Judge

Distribution:

Velika Shantel Bender
2001 Godby Road
Apartment C4
College Park, GA 30349

Victoria Hastings, Attorney
ATTN: Taylor Peycha, Insurance Investigator
Indiana Department of Insurance
Enforcement Division
311 West Washington St., Suite 103
Indianapolis, Indiana 46204

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 19311-AD20-0417-067

IN THE MATTER OF:)

Velika Shantel Bender)
2001 Godby Road)
Apartment C4)
College Park, GA 30349)

Applicant.)

Type of Agency Action: Enforcement)

License Application Number: 761874)

FILED

OCT 05 2020

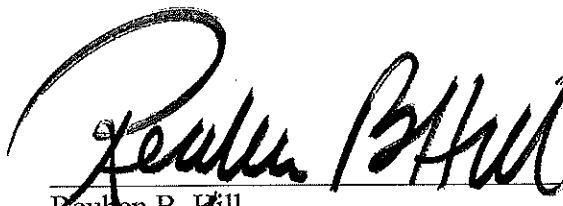
STATE OF INDIANA
DEPT. OF INSURANCE

NOTICE OF FILING DEFAULT ORDER

The parties of this action are hereby notified that the Administrative Law Judge's Default Order is filed as of this date.

To preserve an objection to this order for judicial review, the Parties must object to the order in a writing that: 1) Identifies the basis for the objection with reasonable particularity; and 2) Is filed with the ultimate authority for the Final Order, the Commissioner of the Department of Insurance within eighteen (18) days from the date of this Order.

DATED: 10/5/20


Reuben B. Hill
Administrative Law Judge

STATE OF INDIANA)
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

IN THE MATTER OF:

Velika Shantel Bender
2001 Godby Road
Apartment C4
College Park, GA 303349

Applicant.

Type of Agency Action: Enforcement

License Application Number: 761874

CAUSE NO.: 19311-AD20-0417-067

FILED

OCT 05 2020

STATE OF INDIANA
DEPT. OF INSURANCE

DEFAULT ORDER

The Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Victoria Hastings, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code 4-21.5 et seq., having filed its Motion for Default Order against Applicant and the Administrative Law Judge ("ALJ") having reviewed the same and being duly advised now serves upon all parties his Default Order:

1. The Commissioner of the Indiana Department of Insurance ("Commissioner") filed his Preliminary Administrative Order and Notice of License Denial on June 18, 2020.

2. On June 30, 2020, Applicant made her request for an Evidentiary Hearing.
3. An Evidentiary Hearing was scheduled and held on August 20, 2020 at 11:00 a.m. via audio conferencing.
4. Applicant appeared telephonically, and without counsel.
5. The Applicant disconnected from the hearing, after approximately forty (40) minutes into the hearing.
6. The Administrative Law Judge, and the Department waited for approximately twenty (20) for Applicant to re-join the hearing.
7. Applicant never re-joined the hearing.
8. Applicant never contacted the Department following the hearing.
9. Applicant never informed the Department about what happened, and how she was disconnected from the hearing.
10. Applicant never requested that the hearing be re-scheduled.
11. As the party requesting that the Commissioner take action in granting her request for a Resident Producer License, Applicant has the burden of persuasion and the burden of going forward, per Indiana Code 4-21.5-3-14(c).
12. Applicant never reached out to the Department requesting that the hearing be re-scheduled, or provided an explanation as to how or why Applicant was disconnected from the hearing.

13. Pursuant to Indiana Code 4-21.5-3-24, at any stage of a proceeding, if a party fails to attend or participate in a pre-hearing conference, hearing, or other stage of the proceeding, the ALJ may serve upon all parties written notice of a default order or dismissal order, including a statement of the grounds. This Default Order serves as that notice.

14. Within seven (7) days after service of a default or dismissal order, the party against whom it was issued may file a written motion requesting that the Default Order not be imposed and stating the grounds relied upon.

15. The ALJ shall issue the Default or Dismissal Order, if the party fails to file a written motion.

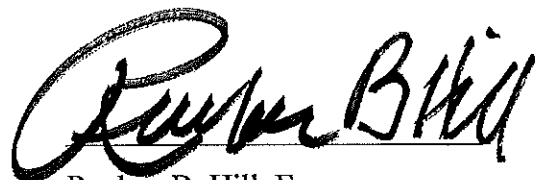
ORDER

IT IS THEREFORE RECOMMENDED:

In consideration of the foregoing Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the **Commissioner of Insurance** the following:

1. The ALJ hereby notifies all parties of his Default Order that the Commissioner's refusal to issue Applicant's Non-Resident Producer License be **AFFIRMED**.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the **Commissioner of Insurance** this 5TH day of October, 2020.



Reuben B. Hill, Esq.
Administrative Law Judge

Distribution:

Velika Shantel Bender
2001 Godby Road
Apartment C4
College Park, GA 30349

Victoria Hastings, Attorney
ATTN: Taylor Peycha, Insurance Investigator
Indiana Department of Insurance
Enforcement Division
311 West Washington St., Suite 103
Indianapolis, Indiana 46204

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 19311-AD20-0417-067

IN THE MATTER OF:)

Velika Shantel Bender)
2001 Godby Road,)
Apartment C4,)
College Park, GA 30349)

Applicant.)

Type of Agency Action: Enforcement)

License Application #: 761874)

FILED

SEP 17 2020

STATE OF INDIANA
DEPT. OF INSURANCE

NOTICE OF PROPOSED DEFAULT ORDER

The Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Victoria Hastings, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5 *et seq.*, having filed its Motion for Default Order against Applicant, and the Administrative Law Judge ("ALJ") having reviewed the same and being duly advised now serves upon all parties his Proposed Default Order:

1. The Commissioner of the Indiana Department of Insurance ("Commissioner") filed his Preliminary Administrative Order and Notice of License Denial on June 18, 2020.
2. Thereafter, on June 30, 2020, Applicant made her request for an evidentiary hearing.
3. An evidentiary hearing was scheduled and held on August 20, 2020 at 11:00a.m. via audio conferencing at the Indiana Department of Insurance.
4. Applicant appeared telephonically, and without counsel, for the hearing.
5. Approximately forty minutes into the hearing, while the Department was cross-examining Applicant, Applicant disconnected from the hearing.
6. The Administrative Law Judge, and the Department waited for approximately twenty

minutes for Applicant to re-join the hearing.

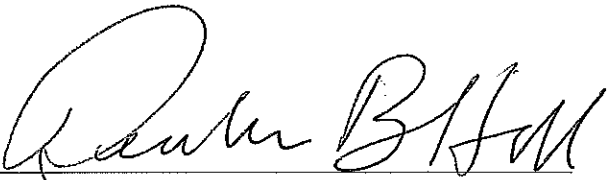
7. Applicant never re-joined the hearing.
8. Applicant never contacted the Department following the hearing.
9. Applicant never informed the Department about what happened, and how she was disconnected from the hearing.
10. Applicant never requested that the hearing be re-scheduled.
11. As the party requesting that the Commissioner take action in granting her request to issuing her nonresident producer's license, Applicant has the burden of persuasion and the burden of going forward, per Indiana Code § 4-21.5-3-14(c).
12. Applicant never reached out to the Department requesting that the hearing be rescheduled, or provided an explanation as to how or why Applicant was disconnected from the hearing.
13. Pursuant to Indiana Code § 4-21.5-3-24, at any stage of a proceeding, if a party fails to attend or participate in a prehearing conference, hearing, or other stage of the proceeding, the ALJ may serve upon all parties written notice of a proposed default or dismissal order, including a statement of the grounds. This Proposed Default Order serves as that notice.
14. Within seven (7) days after service of a proposed default or dismissal order, the party against whom it was issued may file a written motion requesting that the proposed default order not be imposed and stating the grounds relied upon.
15. If the party fails to file a written motion, the ALJ *shall* issue the default or dismissal order.

If the party has filed a written motion, the ALJ may either enter the order or refuse to enter the order.

PROPOSED DEFAULT ORDER

In consideration of the foregoing, the ALJ hereby notifies all parties of his proposed default order that the Commissioner's refusal to issue Applicant's nonresident producer license be AFFIRMED.

Dated 9/17/20


Reuben Hill
Administrative Law Judge

This Notice has been sent to:

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

Velika Shantel Bender
2001 Godby Road,
Apartment C4,
College Park, GA 30349

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 19311-AD20-0417-067

IN THE MATTER OF:)

Velika Shantel Bender)
2001 Godby Road,)
Apartment C4,)
College Park, GA 30349)

Applicant.)

Type of Agency Action: Enforcement)

License Application #: 761874)

FILED

JUL 31 2020

STATE OF INDIANA
DEPT. OF INSURANCE

NOTICE OF HEARING

Notice is hereby given, pursuant to Indiana Code § 4-21.5-3 *et seq.*, that an evidentiary hearing will be held via Audio Conferencing on August 20, 2020, at 11:00 AM A.M./P.M. Eastern Time, to determine whether to grant Respondent's request for approval of her nonresident producer's license. An email with further details on the audio conferencing will be sent to Respondent's email address of record that will allow Respondent to connect to the hearing via Audio Conferencing.

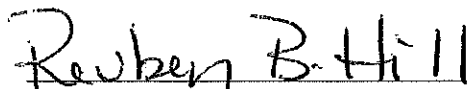
The hearing will be conducted in accordance with the provisions of the Administrative Orders and Procedures Act, codified at Indiana Code § 4-21.5-3 *et seq.* The Commissioner's authority regarding agent licensing is contained in Indiana Code § 27-1-15.6-12.

The issues to be resolved at the hearing are those described in the Preliminary Administrative Order and Notice of License Denial filed on June 18, 2020.

The Indiana Department of Insurance asserts that Respondent has violated Indiana Code § 27-1-15.6-12(b)(1) due to Applicant failing to disclose an administrative action from December

13, 2019, which was a Georgia Consent Order; Indiana Codes §§ 27-1-15.6-12(b)(6), and 27-1-15.6-12(b)(8) due to Applicant's criminal history, which includes a conviction from June 1, 2009, for Forgery, a 1st Degree Felony.

In accordance with Indiana Code § 4-21.5-3 *et seq*, the Administrative Law Judge in this matter is:



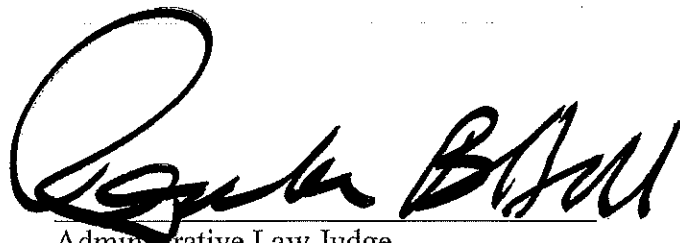
Indiana Department of Insurance
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787
Telephone: (317) 232-2387

The Department of Insurance will be represented by its counsel, Victoria Hastings, who can be reached at:

Indiana Department of Insurance
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787
Telephone: (317) 234-2101

A party who fails to attend or participate in a pre-hearing conference, hearing or other later stage of the proceeding, may be held in default or have a proceeding dismissed under Indiana Code § 4-21.5-3-24.

Dated: 7/31/20



Administrative Law Judge
Indiana Department of Insurance

This Notice has been sent to:

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

Velika Shantel Bender
2001 Godby Road,
Apartment C4,
College Park, GA 30349

Cert # 7005 3110 0002 4438 8057

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 19311-AD20-0417-067

IN THE MATTER OF:

Velika Shantel Bender
2001 Godby Road,
Apartment C4,
College Park, GA 30349

Applicant.

Type of Agency Action: Enforcement

License Application #: 761874

FILED

JUN 18 2020

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 Velika Shantel Bender ("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 27, 2020.
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 or renew 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)(6) provides, in part, that the Commissioner may refuse to issue or renew an insurance producer license for having been convicted of a felony.

5. Indiana Code § 27-1-15.6-12(b)(8) provides, in part, that the Commissioner may refuse to issue or renew 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.
6. Following a review of materials submitted by Applicant in support of her application, the Commissioner being fully advised, now hereby notifies Applicant that she has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(1) due to Applicant failing to disclose an administrative action from December 13, 2019, which was a Georgia Consent Order.
7. Following a review of public materials, the Commissioner being fully advised, now hereby notifies Applicant that she has not fully met the requirements of licensure as stated by Indiana Codes §§ 27-1-15.6-12(b)(6) and 27-1-15.6-12(b)(8) due to Applicant's criminal history, which includes a conviction from June 1, 2009, for Forgery, a 1st Degree Felony.
7. 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.

IT IS THEREFORE ORDERED that Applicant's request for licensure is hereby DENIED pursuant to Indiana Codes §§ 27-1-15.6(b)(1), 27-1-15.6-12(b)(6), and 27-1-15.6-12(b)(8) due to Applicant's criminal history, which includes a felony conviction, and due to Applicant failing to disclose an administrative action. Applicant may reapply for licensure not less than one (1) year from the date of this order.

6-18-2020

Date Signed

A handwritten signature in black ink, appearing to read "Stephen W. Robertson", written over a horizontal line.

Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution to:

Velika Shantel Bender
2001 Godby Road,
Apartment C4,
College Park, GA 30349

Taylor Peycha, Insurance Investigator
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204
317-233-9432, fax 317 234-2103