

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 20340-AD21-0413-073

IN THE MATTER OF:)
)
Donald Dunaway)
2751 West Walnut Hill Lane,)
Apartment 19,)
Irving, TX 75038)
)
Applicant.)
)
Type of Agency Action: Enforcement)
)
License Application #: 846747)

FILED
JUL 09 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 § 27-1-28-12, hereby gives notice to David Ian Lieberman (“Applicant”) of the following Administrative Order:

1. Applicant submitted an application for nonresident independent adjuster license with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on February 22, 2021.
2. Before approving an application, the Commissioner must find that the Applicant has met specific requirements under Indiana Code § 27-1-28-17 and Indiana Code § 27-1-28-18.
3. Indiana Code § 27-1-28-18(b)(8) provides that, in part, the Commissioner may refuse to issue an independent adjuster license for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility, in the conduct of insurance business.

4. 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 Code § 27-1-28-18(b)(8) due to his February 14, 2011, conviction for Assault – Family Member, a Class A Misdemeanor.
5. Indiana Code § 27-1-28-18(c) provides that the applicant may, not more than thirty (30) 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.
6. 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 Code § 27-1-28-18(b)(8) due to his criminal history. Applicant may reapply for licensure not less than one (1) year from the date of this order.

7/9/21
Date Signed


Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution to:

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