

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 20472-AD21-0412-070

IN THE MATTER OF:)

James P. Cates)
8081 Philips HWY, Ste. 10,)
Jacksonville, FL 32256)

Applicant.)

Type of Agency Action: Enforcement)

License Application #: 850723)

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 § 27-1-15.6-12, hereby gives notice to James P. Cates ("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 March 10, 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's license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.
4. Indiana Code § 27-1-15.6-12(b)(9) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for having an insurance producer's license or its equivalent, denied, suspended, or revoked in any other state, province, district or territory.

5. Indiana Code § 27-1-15.6-12(b)(6) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for having been convicted of a felony.
6. Following a review of public records, being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(1) due to Applicant's failure to disclose on his application the following six (6) administrative actions:
 - a. July 24, 2015 Consent Order issued by the Florida Office of Insurance Regulation;
 - b. November 19, 2015 Monetary Penalty issued by the Louisiana Department of Insurance;
 - c. March 18, 2016 License Revocation issued by the Virginia Bureau of Insurance;
 - d. July 8, 2016 License Revocation issued by the Louisiana Department of Insurance;
 - e. October 4, 2017 Consent Order issued by the Georgia Office of the Commissioner of Insurance; and
 - f. February 19, 2016 License Suspension issued by the Indiana Department of Insurance.
7. Following a review of public records, the Commissioner, being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(9) due to his March 18, 2016 License Revocation issued by the Virginia Bureau of Insurance, and his July 8, 2016 License Revocation issued by the Louisiana Department of Insurance.

8. Following a review of public records, and a review of documentation 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 § 27-1-15.6-12(b)(6) due to his March 2, 1988 conviction for Worthless Checks, a Felony, out of the State of Georgia.
9. 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.
10. 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)(9), and 27-1-15.6-12(b)(6) due to Applicant's failure to disclose his administrative actions on his application for licensure, his license revocations, and felony conviction. 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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