

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER of INSURANCE

CAUSE NO.: 20499-AG21-0618-124

IN THE MATTER OF:)

Shelly House)
1812 E. Markland Avenue,)
Kokomo, IN 46901)

Respondent.)

Type of Agency Action: Enforcement)

No License)

FILED
JUL 02 2021
STATE OF INDIANA
DEPT. OF INSURANCE

ORDER GRANTING
EMERGENCY CEASE AND DESIST ORDER

The Commissioner of the Indiana Department of Insurance (“Commissioner”), having reviewed the Enforcement Division’s Motion for Emergency Cease and Desist Order, and being otherwise duly advised, and now finds as follows:

FINDINGS OF FACT

1. The Department of Insurance (“Department”) is authorized to regulate the practice of insurers and producers in Indiana under Indiana Code § 27-1 *et seq.*
2. Respondent does not hold any license or other authorization required by law to engage in the business of insurance in the State of Indiana.
3. The Department has obtained substantial credible evidence that Respondent has engaged in selling, soliciting, and negotiating insurance in Indiana, as an employee of Superior Auto, Inc.

4. Respondent's conduct in engaging in the unlicensed selling, soliciting, and negotiating of insurance is a violation of Indiana Insurance law and is harmful to consumers.
5. Conclusions of Law that are properly stated as Findings of Fact are incorporated herein.

CONCLUSIONS OF LAW


1. An emergency exists in that Respondent, an unlicensed individual, is selling, soliciting, and negotiating insurance and holding herself out to be licensed insurance agent in Indiana, in violation of Indiana Code § 27-1-15.6-3, which states that a person shall not sell, solicit, or negotiate insurance in Indiana for any class or classes of insurance unless the person is licensed for that line of authority.
2. In an emergency, the Commissioner may issue appropriate orders without notice or an evidentiary proceeding under Indiana Code § 4-21.5-4-2(a) and this Emergency Order is issued pursuant to that.
3. This Emergency Order also satisfies the requirements of Indiana Code § 4-21.5-4-2(b).
4. Conclusions of Law that are properly stated as Findings of Fact are incorporated herein.

ORDER

It is **ORDERED** that Respondent, Shelly House, must immediately cease and desist from selling, soliciting, and negotiating insurance in Indiana without a license. This Order shall remain in effect as allowed by Indiana Code § 4-21.5-4-5(3).

Under Indiana Code § 4-21.5-4-3, this Emergency Order is effective when issued. **Respondent has the right to request a hearing on this Emergency Order by filing a request for a hearing**, and if requested, an evidentiary hearing will be set on the matter as soon as practicable pursuant to Indiana Code § 4-21.5-4-4.

7/21/21
Dated


Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution to:

Victoria Hastings, Attorney
ATTN: Steven A Embree, Investigator
Indiana Department of Insurance
311 West Washington St. #103
Indianapolis, IN 46204-2787

Shelly House
1812 E. Markland Avenue,
Kokomo, IN 46901

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DEPT. OF INSURANCE

MOTION FOR EMERGENCY CEASE AND DESIST ORDER

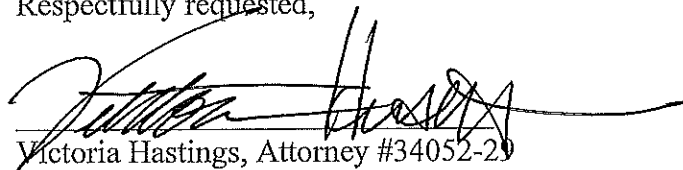
Comes now the Enforcement Division of the Indiana Department of Insurance (“Department”) and files its Motion for an Emergency Cease and Desist Order against Shelly House (“Respondent”) and states:

1. Respondent is employed at Superior Auto, Inc., 1812 E. Markland Avenue, Kokomo, IN 46901 (“Superior Auto”).
2. Superior Auto is a privately held automotive retailer.
3. Respondent is listed as the General Manager of the Superior Auto store located in Kokomo, Indiana.
4. Respondent is not listed in the Department’s database as a licensed insurance producer.
5. The Department has received a consumer complaint against Respondent, during the investigation of which the Department has obtained substantial credible evidence that Respondent has solicited, negotiated, and sold insurance to an Indiana consumer during an automobile sales transaction without a license.

6. Indiana Code § 27-1-15.6-3 is an insurance law which states a person shall not sell, solicit, or negotiate insurance in Indiana for any class or classes of insurance unless the person is licensed for that line of authority.
7. Indiana Code § 4-21.5-4-1(1) allows an agency to conduct proceedings if an emergency exists.
8. An emergency exists in that Respondent, an unlicensed individual, is actively selling, soliciting, and negotiating insurance in Indiana, which violates an Indiana Insurance law and is harmful to Indiana consumers.

WHEREFORE, the Enforcement Division requests that the Commissioner issue an Emergency Cease and Desist Order against Respondent under Indiana Code § 4-21.5-4-2(a)(1), and for all other necessary and proper relief.

Respectfully requested,



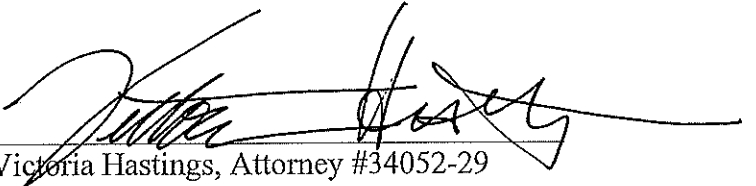
Victoria Hastings, Attorney #34052-2
Enforcement Division
Indiana Department of Insurance

Indiana Department of Insurance
Enforcement Division
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787
Telephone: (317) 232-5312
Facsimile: (317) 232-5251

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon Respondent at the address listed below by United States first class mail, the same day as filing.

Shelly House
1812 E. Markland
Kokomo, IN 46901


Victoria Hastings, Attorney #34052-29
Enforcement Division