

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO: 20643-AG21-0621-126

IN THE MATTER OF:)

Joseph W. Munno)
3745 West 103rd Street,)
Chicago, IL 60655)

Respondent.)

Type of Agency Action: Enforcement)

License Number: 3213702)

FILED

AUG 03 2021

STATE OF INDIANA
DEPT. OF INSURANCE

ADMINISTRATIVE ORDER
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 Joseph W. Munno ("Respondent") of the following Administrative Order:

1. Respondent is a licensed nonresident insurance producer holding license number 3213702 ("Respondent's license") since January 10, 2017.
2. Respondent's license expired on May 31, 2021.
3. On or about November 10, 2019, Respondent was charged with Domestic Battery/Bodily Harm, a Class A Misdemeanor.
4. On or about November 10, 2019, or shortly thereafter, Respondent's initial hearing in the criminal matter was held.
5. On November 18, 2019, Respondent was convicted of Domestic Battery/Bodily Harm, a Class A Misdemeanor.

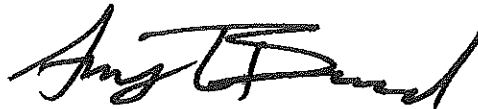
6. Respondent failed to timely report the 2019 criminal charges to the Department within thirty days of his initial pre-trial hearing.
7. Respondent reported the criminal charges and subsequent conviction to the Department until on or around May 14, 2021, when he submitted an application to renew his license.
8. Indiana Code § 27-1-15.6-12(b)(2)(A) states, in part, that the Commissioner may refuse to renew an insurance producer license for violating and insurance law.
9. Indiana Code § 27-1-15.6-17(b) is an insurance law which states, in part, that a producer shall report to the Commissioner any criminal prosecution taken against the producer not more than thirty (30) days after the initial pretrial hearing.
10. Indiana Code § 27-1-15.6-12(b)(8) states, in part, that the Commissioner may refuse to 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.
11. 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.
12. 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.
13. 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's criminal history and failing to timely report his criminal charges to the Department.

8/3/21

Date Signed



Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution:

Joseph W Munno
3745 West 103rd Street,
Chicago, IL 60655

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



**STATE OF INDIANA
OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS**



Filed August 16, 2021

Administrative Cause No.: DOI-0821-001745

Underlying/State Agency Action No.: 20643-AG21-0621-126

Final Agency Authority: The Commissioner of the Department of Insurance

Joseph Munno
Petitioner,

Issued: August 16, 2021

v.

**Department of Insurance
Respondent.**

ORDER SETTING EVIDENTIARY HEARING

Notice is hereby given, pursuant to Indiana Code § 4-21.5-3 *et seq.*, that an audio-only evidentiary hearing will be held on this matter. 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.*

Should either party wish to have a pre-hearing conference prior to the evidentiary hearing, then the party may submit a motion requesting a pre-hearing conference. Upon receipt of motion for a pre-hearing conference, the ALJ shall schedule a pre-hearing conference pursuant to IC § 4-21.5-3-18. Such request may serve as a waiver of any requirement to have the evidentiary hearing within a certain number of days.

EVIDENTIARY HEARING INFORMATION

The date of the evidentiary hearing is: **Wednesday, September 15, 2021**

The evidentiary hearing will begin at: **10:00 EDT.**

The hearing will be conducted as: **Audio Only via Telephone**

Details for Conference Line:

Dial Call in Phone Number: 317-552-1674

Enter Conference ID: 679 847 399#

The Parties are not prohibited from contacting the other to resolve the case prior to a hearing. 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.

SO ORDERED: August 16, 2021

/S/ Reuben B. Hill

Hon. Reuben B. Hill
Administrative Law Judge
Indiana Office of Administrative Law Proceedings
402 W. Washington Street, Room W-161
Indianapolis, IN 46204

Distributed to Parties:

Indiana Department of Insurance – Respondent, served by Counsel Victoria Hastings by E-Mail at vhastings@idoi.in.gov

Joseph Munno – Petitioner, served by E-Mail at 3745 West 103rd Street, Chicago, IL 60655

Additional Distribution to Non-Party:

Dawn Bopp – Non-Party, Administrator for the Indiana Department of Insurance served as at DBopp@idoi.in.gov for purposes of scheduling a court reporter as needed for any hearing.



**STATE OF INDIANA
OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS**

Administrative Cause No.: DOI-0821-001745
Underlying/State Agency Action No.: 20643-AG21-0621-126

Ultimate Authority: The Commissioner of the Department of Insurance

Joseph Munno
Petitioner,

v.

Department of Insurance
Respondent.

Issued: September 7, 2021



Filed September 7, 2021

**ORDER ON MOTION TO CONTINUE
AND SETTING EVIDENTIARY HEARING**

Complainant filed an unopposed Motion to Continue on September 3, 2021 requesting a continuance of a hearing set Wednesday, September 15, 2021.

Comes now, the Administrative Law Judge designated by the Indiana Office of Administrative Law Proceedings and hereby GRANTS said motion. The hearing previously scheduled on the above-mentioned date shall be vacated and an evidentiary hearing set.

EVIDENTIARY HEARING INFORMATION

The date of the evidentiary hearing is: **Wednesday, October 7, 2021** The hearing will be conducted as: **Audio Only via Telephone**

Dial: **1-317-552-1674** and enter conference ID # **679 847 399#**

The telephonic status conference will begin at: 10:00 AM EDT.

The Parties are not prohibited from contacting the other to resolve the case prior to a hearing. 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.

SO ORDERED: September 7, 2021

/S/ Reuben B. Hill

Hon. Reuben B. Hill
Administrative Law Judge
Indiana Office of Administrative Law Proceedings
100 N. Senate Ave., Room N-802
Indianapolis, IN 46204

Distributed to Parties:

Indiana Department of Insurance – Respondent, served by Counsel Victoria Hastings by E-Mail at vhastings@idoi.in.gov
Joseph Munno – Petitioner, served by U.S. Postal Mail at 3745 West 103rd Street, Chicago, IL 60655

Additional Distribution to Non-Party:

Dawn Bopp – Non-Party, Administrator for the Indiana Department of Insurance served as at DBopp@idoi.in.gov for purposes of scheduling a court reporter as needed for any hearing.



**STATE OF INDIANA
OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS**



Filed October 7, 2021

Administrative Cause No.: DOI-02821-001745

Underlying/State Agency Action No.: 20643-AG21-0621-126

Ultimate Authority: The Commissioner of the Department of Insurance

Joseph Munno
Claimant,

v.

Department of Insurance
Respondent.

Issued: October 7, 2021

**ORDER ON MOTION TO CONTINUE
AND SETTING TELEPHONIC EVIDENTIARY HEARING**

Respondent moved to continue on October 7, 2021 requesting a continuance of a hearing set Thursday, October 7, 2021.

Comes now, the Administrative Law Judge designated by the Indiana Office of Administrative Law Proceedings and hereby GRANTS said motion.

EVIDENTIARY HEARING INFORMATION

The date of the evidentiary hearing is: **Thursday, October 21, 2021**

The hearing will be conducted as: **Audio Only via Telephone**

Dial: **1-317-552-1674** and enter conference ID **262 003 867**

The telephonic status conference will begin at: 10:00 AM EDT.

The Parties are not prohibited from contacting the other to resolve the case prior to a hearing. 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.

SO ORDERED: October 7, 2021

/S/ Reuben B. Hill

Hon. Reuben B. Hill
Administrative Law Judge
Indiana Office of Administrative Law Proceedings
100 N. Senate Ave., Room N-802
Indianapolis, IN 46204

Distributed to Parties:

Indiana Department of Insurance – Respondent, served by Counsel Victoria Hastings by E-Mail at vhastings@idoi.in.

Joseph Munno – Petitioner and served by U.S. Postal Mail at 3745 West 103rd Street, Chicago, IL 60655

Additional Distribution to Non-Party:

Dawn Bopp – Non-Party, Administrator for the Indiana Department of Insurance served as at DBopp@idoi.in for purposes of scheduling a court reporter as needed.

RECOMMENDED ORDER

Pursuant to IC 4-21.5 this
Recommended Order is not final and
shall be presented to the ultimate
authority for issuance of a final order.



FILED: November
23, 2021

STATE OF INDIANA OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS

Administrative Cause No.: DOI-02821-001745
Underlying/State Agency Action No.: 20643AG21-0621-126

**Final Agency Authority: Commissioner of the Department of
Insurance**

Joseph Munno
Petitioner,

v.

Indiana Department of Insurance
Respondent.

Type of Agency Action: Enforcement
License Number: 3213702

FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDED ORDER

The Enforcement Division of the Indiana Department of Insurance ("Department") was represented by counsel, Victoria Hastings. This matter came to be heard by Administrative Law Judge ("ALJ") Reuben Hill on October 7, 2021, at 10:00 a.m. ET and was continued and reset and heard on October 21, 2021, at 10:00 a.m. ET via audio conferencing at the Indiana Department of Insurance, 311 West Washington Street, Indianapolis, Indiana. Joseph W. Munno (Petitioner) appeared telephonically, and without counsel, for the October 7, 2021, hearing, but Petitioner failed to appear or participate in the October 21, 2021, hearing. The hearing proceeded in default. Testimony was heard, and exhibits were received into evidence.

Based upon the evidence presented at said hearing, the ALJ now makes the following Findings of Fact and Conclusions of Law and issues his Recommended Default Order.

FINDINGS OF FACT

1. Petitioner submitted an application to renew his nonresident producer license on or around May 14, 2021. (Department's Exhibits 2, 3)
2. On Petitioner's application, Petitioner reported to the Department for the first time his criminal prosecution and subsequent conviction. (Department's Exhibits 2, 3)
3. On or around November 10, 2019, Petitioner was charged with Domestic Battery/Bodily Harm, a Class A Misdemeanor. (Department's Exhibits 1, 3)
4. On or around November 10, 2019, Petitioner's initial hearing in the criminal matter was held. (Department's Exhibits 1, 3)
5. The Commissioner entered her Administrative Order and Notice of Nonrenewal of License on August 3, 2021, due to Petitioner's failure to timely report his criminal charge for Domestic Battery/Bodily Harm, a Class A Misdemeanor, and for his subsequent conviction of the same. (Department's Exhibit 3)
6. A hearing was held at Petitioner's request first on October 7, 2021.
7. Petitioner appeared for the October 7, 2021 hearing.
8. There were technical difficulties at the October 7, 2021, hearing. (October 7, 2021 Hearing Transcript, p. 10)
9. The Department motioned for a continuance of the hearing due to the technical difficulties. (October 7, 2021 Hearing Transcript, p. 10-12)
10. The Department proposed a new date of October 21, 2021 at 10:00am ET. (October 7, 2021 Hearing Transcript, p. 10-12)
11. Petitioner was aware of the new hearing date and time. The Department proposed a new date of October 21, 2021, at 10:00am ET. (October 7, 2021, Hearing Transcript, p. 11-12)
12. Petitioner did not object to the new hearing date and time of October 21, 2021, at 10:00am ET. (October 7, 2021, Hearing Transcript, p. 11-12)
13. Petitioner even stated that a continuance of the hearing would be beneficial for him as he would have more time to submit any documentation and be more prepared for it. (October 7, 2021, Hearing Transcript, p. 13)
14. The ALJ granted the motion to continue, and ordered the hearing be continued until October 21, 2021, at 10:00a.m. ET. (October 7, 2021, Hearing Transcript, p. 18-19)
15. Petitioner failed to appear for the October 21, 2021, hearing. (October 21, 2021, Hearing Transcript, p. 5)
16. The October 21, 2021, hearing was held in default. (October 21, 2021, Hearing Transcript, p. 5)
17. Petitioner received proper notice for the October 21, 2021, hearing via U.S. Postal mail.
18. Petitioner failed to appear for the October 21, 2021, hearing
19. Petitioner never contacted the Department following the October 21, 2021 hearing.
20. Petitioner never informed the Department about what happened, or why he

failed to appear for the October 21, 2021, hearing.

21. Petitioner never requested that the October 21, 2021 hearing be re-scheduled.
22. Petitioner never reached out to the Department requesting that the October 21, 2021, hearing be rescheduled, or provided an explanation as to why Petitioner failed to appear for the October 21, 2021, hearing.
23. The Department admitted three (3) exhibits at the hearing.
24. Conclusions of Law that can be adopted as Findings of Fact are hereby incorporated herein as such.

CONCLUSIONS OF LAW

1. The Commissioner of the Indiana Department of Insurance (“Commissioner”) has jurisdiction over both the subject matter and the parties to this action.
2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code.
3. Indiana Code § 27-1-15.6-12(b) states, in part, that the Commissioner may refuse to issue or renew an insurance producer’s license, due to a number of factors.
4. Indiana Code § 27-1-15.6-12(b)(2)(A) allows the Commissioner to refuse to renew a producer license for violating an insurance law.
5. Indiana Code § 27-1-15.6-17(b) is an insurance law which states, in part, that a producer shall report to the Commissioner any criminal prosecution taken against the producer not more than thirty (30) days after an initial pretrial hearing.
6. Indiana Code § 27-1-15.6-12(b)(8) allows the Commissioner to refuse to renew a 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.
7. Petitioner failed to timely report his criminal prosecution for Domestic Battery/Bodily Harm, a Class A Misdemeanor, within thirty (30) days of his November 10, 2019, initial hearing, in violation of Indiana Codes § 27-1-15.6-17(b) and § 27-1-15.6-12(b)(2)(A).
8. Petitioner has a conviction for Domestic Battery/Bodily Harm, a Class A Misdemeanor, in violation of Indiana Code § 27-1-15.6-12(b)(8).
9. Indiana Code § 4-21.5-3-14(c) states that the person requesting an agency take action has the burden of persuasion and the burden of going forward. Here, Petitioner is requesting the Department renew his nonresident producer license and, therefore, bears the burden.
10. 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.
11. Pursuant to Indiana Code § 27-1-15.6-12(d), a hearing was held to determine the reasonableness of the Commissioner’s decision. Petitioner failed to meet his burden of proving the Commissioner’s decision was unreasonable.

12. Findings of Fact that can be adopted as Conclusions of Law are hereby incorporated herein as such.

RECOMMENDED DEFAULT 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 refusal to renew Petitioner's nonresident producer license under license number 3213702 shall be AFFIRMED.

ALL OF WHICH FOUND by the Administrative Law Judge and recommended to the **Commissioner of Insurance** on November 23, 2021. **This Recommended Order is not final.**

This matter is now before the ultimate authority, the Commissioner of Insurance who has the final authority over this matter and shall review this Recommended Order and issue a final order to all parties.

To preserve an objection to this order for judicial review, the Parties must object to the order in 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.

Any questions regarding this matter may now be directed to Dawn Bopp at dbopp@idoi.in.gov.

/s/Reuben B. Hill
Reuben B. Hill, Esq.
Administrative Law Judge

Distributed to Parties:

Joseph W. Munno
3745 West 103rd Street,
Chicago, IL 60655

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

IDOI Commissioner – Ultimate Authority and served by Dawn Bopp at dbopp@idoi.in.gov.

RECOMMENDED ORDER

Pursuant to IC 4-21.5 this
Recommended Order is not final and
shall be presented to the ultimate
authority for issuance of a final order.



FILED: November
24, 2021

STATE OF INDIANA OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS

Administrative Cause No.: DOI-0821-001745
Underlying/State Agency Action No.: 20643AG21-0621-126

**Final Agency Authority: Commissioner of the Department of
Insurance**

Joseph Munno
Petitioner,

v.

Indiana Department of Insurance
Respondent.

Type of Agency Action: Enforcement
License Number: 3213702

FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDED ORDER

The Enforcement Division of the Indiana Department of Insurance ("Department") was represented by counsel, Victoria Hastings. This matter came to be heard by Administrative Law Judge ("ALJ") Reuben Hill on October 7, 2021, at 10:00 a.m. ET and was continued and reset and heard on October 21, 2021, at 10:00 a.m. ET via audio conferencing at the Indiana Department of Insurance, 311 West Washington Street, Indianapolis, Indiana. Joseph W. Munno (Petitioner) appeared telephonically, and without counsel, for the October 7, 2021, hearing, but Petitioner failed to appear or participate in the October 21, 2021, hearing. The hearing proceeded in default. Testimony was heard, and exhibits were received into evidence.

Based upon the evidence presented at said hearing, the ALJ now makes the following Findings of Fact and Conclusions of Law and issues his Recommended Default Order.

FINDINGS OF FACT

1. Petitioner submitted an application to renew his nonresident producer license on or around May 14, 2021. (Department's Exhibits 2, 3)
2. On Petitioner's application, Petitioner reported to the Department for the first time his criminal prosecution and subsequent conviction. (Department's Exhibits 2, 3)
3. On or around November 10, 2019, Petitioner was charged with Domestic Battery/Bodily Harm, a Class A Misdemeanor. (Department's Exhibits 1, 3)
4. On or around November 10, 2019, Petitioner's initial hearing in the criminal matter was held. (Department's Exhibits 1, 3)
5. The Commissioner entered her Administrative Order and Notice of Nonrenewal of License on August 3, 2021, due to Petitioner's failure to timely report his criminal charge for Domestic Battery/Bodily Harm, a Class A Misdemeanor, and for his subsequent conviction of the same. (Department's Exhibit 3)
6. A hearing was held at Petitioner's request first on October 7, 2021.
7. Petitioner appeared for the October 7, 2021 hearing.
8. There were technical difficulties at the October 7, 2021, hearing. (October 7, 2021 Hearing Transcript, p. 10)
9. The Department motioned for a continuance of the hearing due to the technical difficulties. (October 7, 2021 Hearing Transcript, p. 10-12)
10. The Department proposed a new date of October 21, 2021 at 10:00am ET. (October 7, 2021 Hearing Transcript, p. 10-12)
11. Petitioner was aware of the new hearing date and time. The Department proposed a new date of October 21, 2021, at 10:00am ET. (October 7, 2021, Hearing Transcript, p. 11-12)
12. Petitioner did not object to the new hearing date and time of October 21, 2021, at 10:00am ET. (October 7, 2021, Hearing Transcript, p. 11-12)
13. Petitioner even stated that a continuance of the hearing would be beneficial for him as he would have more time to submit any documentation and be more prepared for it. (October 7, 2021, Hearing Transcript, p. 13)
14. The ALJ granted the motion to continue, and ordered the hearing be continued until October 21, 2021, at 10:00a.m. ET. (October 7, 2021, Hearing Transcript, p. 18-19)
15. Petitioner failed to appear for the October 21, 2021, hearing. (October 21, 2021, Hearing Transcript, p. 5)
16. The October 21, 2021, hearing was held in default. (October 21, 2021, Hearing Transcript, p. 5)
17. Petitioner received proper notice for the October 21, 2021, hearing via U.S. Postal mail.
18. Petitioner failed to appear for the October 21, 2021, hearing
19. Petitioner never contacted the Department following the October 21, 2021 hearing.
20. Petitioner never informed the Department about what happened, or why he

failed to appear for the October 21, 2021, hearing.

21. Petitioner never requested that the October 21, 2021 hearing be re-scheduled.
22. Petitioner never reached out to the Department requesting that the October 21, 2021, hearing be rescheduled, or provided an explanation as to why Petitioner failed to appear for the October 21, 2021, hearing.
23. The Department admitted three (3) exhibits at the hearing.
24. Conclusions of Law that can be adopted as Findings of Fact are hereby incorporated herein as such.

CONCLUSIONS OF LAW

1. The Commissioner of the Indiana Department of Insurance (“Commissioner”) has jurisdiction over both the subject matter and the parties to this action.
2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code.
3. Indiana Code § 27-1-15.6-12(b) states, in part, that the Commissioner may refuse to issue or renew an insurance producer’s license, due to a number of factors.
4. Indiana Code § 27-1-15.6-12(b)(2)(A) allows the Commissioner to refuse to renew a producer license for violating an insurance law.
5. Indiana Code § 27-1-15.6-17(b) is an insurance law which states, in part, that a producer shall report to the Commissioner any criminal prosecution taken against the producer not more than thirty (30) days after an initial pretrial hearing.
6. Indiana Code § 27-1-15.6-12(b)(8) allows the Commissioner to refuse to renew a 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.
7. Petitioner failed to timely report his criminal prosecution for Domestic Battery/Bodily Harm, a Class A Misdemeanor, within thirty (30) days of his November 10, 2019, initial hearing, in violation of Indiana Codes § 27-1-15.6-17(b) and § 27-1-15.6-12(b)(2)(A).
8. Petitioner has a conviction for Domestic Battery/Bodily Harm, a Class A Misdemeanor, in violation of Indiana Code § 27-1-15.6-12(b)(8).
9. Indiana Code § 4-21.5-3-14(c) states that the person requesting an agency take action has the burden of persuasion and the burden of going forward. Here, Petitioner is requesting the Department renew his nonresident producer license and, therefore, bears the burden.
10. 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.
11. Pursuant to Indiana Code § 27-1-15.6-12(d), a hearing was held to determine the reasonableness of the Commissioner’s decision. Petitioner failed to meet his burden of proving the Commissioner’s decision was unreasonable.

12. Findings of Fact that can be adopted as Conclusions of Law are hereby incorporated herein as such.

RECOMMENDED DEFAULT 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 refusal to renew Petitioner's nonresident producer license under license number 3213702 shall be AFFIRMED.

ALL OF WHICH FOUND by the Administrative Law Judge and recommended to the **Commissioner of Insurance** on November 23, 2021. **This Recommended Order is not final.**

This matter is now before the ultimate authority, the Commissioner of Insurance who has the final authority over this matter and shall review this Recommended Order and issue a final order to all parties.

To preserve an objection to this order for judicial review, the Parties must object to the order in 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.

Any questions regarding this matter may now be directed to Dawn Bopp at dbopp@idoi.in.gov.

/s/Reuben B. Hill
Reuben B. Hill, Esq.
Administrative Law Judge

Distributed to Parties:

Joseph W. Munno
3745 West 103rd Street,
Chicago, IL 60655

Victoria Hastings, Attorney
ATTN: Taylor Peycha
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204
vhastings@idoi.in.gov

IDOI Commissioner – Ultimate Authority and served by Dawn Bopp at dbopp@idoi.in.gov



FILED: November
24, 2021

**STATE OF INDIANA
OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS**

Administrative Cause No.: DOI-0821-001745

Underlying/State Agency Action No.: 20643AG21-0621-126

**Final Agency Authority: Commissioner of the Department of
Insurance**

Joseph Munno
Petitioner,

v.
Indiana Department of Insurance
Respondent.

Type of Agency Action: Enforcement
License Number: 3213702

**NOTICE OF CORRECTED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
RECOMMENDED ORDER**

A Findings of Fact, Conclusions of Law, and Recommended Order was issued in this matter on November 23, 2021 and distributed to the parties. After distribution, a typographical error was discovered in the cause number of the order. The cause number is corrected to provide as follows: DOI-0821-001745.

The Corrected Findings of Fact, Conclusions of Law, and Recommended Order is filed contemporaneously herewith.

November 24, 2021

/s/Reuben B. Hill
Reuben B. Hill, Esq.
Administrative Law Judge

Distributed to Parties:

Joseph W. Munno
3745 West 103rd Street,

Chicago, IL 60655

Victoria Hastings, Attorney
ATTN: Taylor Peycha
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204
vhastings@idoi.in.gov

IDOI Commissioner – Ultimate Authority and served by Dawn Bopp at dbopp@idoi.in.gov

STATE OF INDIANA)
COUNTY OF MARION) SS:

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

IN THE MATTER OF:)
)
Joseph Munno)
3745 West 103rd Street)
Chicago, IL 60655)
)
Petitioner)
)
)
Type of Agency Action:Enforcement)
)

FILED

DEC 20 2021

**STATE OF INDIANA
DEPT. OF INSURANCE**

CAUSE NO.: DOI-0821-001745
20643-AG21-0621-126

FINAL ORDER

On November 24, 2021, the Administrative Law Judge, Reuben B. Hill, filed his Findings of Fact, Conclusions of Law and Recommended Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of law, and Recommended Order and Notice of Filing Recommended Order on Petitioner by mailing the same to his 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 Order, and more than eighteen (18) days have elapsed.

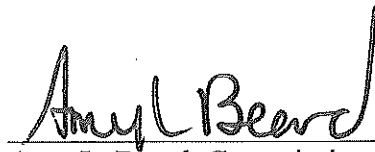
Therefore, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Refusal to renew Petitioner's nonresident producer license under license number 3213702 is **AFFIRMED**.

Under Ind. Code §4-21.5-5-5, Petitioner 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 20 day of December, 2021.



Amy L. Beard, Commissioner
Indiana Department of Insurance

Copies to:

Joseph Munno
3745 West 103rd Street
Chicago, IL 60655

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