

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO: 20296-AG21-0419-088

IN THE MATTER OF:)
)
Daniel Dennis Despirito)
675 Placentia Avenue #350)
Brea, CA 92821)
Respondent.)
Type of Agency Action: Enforcement)
License Number: 3409041)

FILED
DEC 09 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 § 27-1-28-18, hereby gives notice to Daniel Dennis Despirito (“Respondent”) of the following Administrative Order:

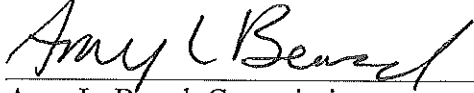
1. Respondent is a licensed nonresident independent adjuster holding license number 3409041 (“Respondent’s license”) since January 18, 2019.
2. Respondent’s license expired on September 30, 2021.
3. On February 7, 1986, Respondent was convicted of Possession of Marijuana for Sale, a Felony, and Sale or Transportation of Marijuana, a Felony.
4. On January 17, 2019, Respondent applied for a nonresident independent adjuster license; on his 2019 application, Respondent answered “no” to having been convicted of a felony.
5. On June 5, 2020, the Florida Department of Insurance entered into a Consent Order with Respondent for an administrative penalty of one thousand five hundred dollars (\$1,500) due to Respondent failing to disclose his felony convictions.

6. Respondent failed to report the Florida administrative action to the Department within thirty (30) days of the final disposition of the matter and, as of the date of this filing, has not reported the administrative action.
7. On December 18, 2020, the Louisiana Department of Insurance revoked Respondent's nonresident independent adjuster license due to Respondent failing to disclose his felony convictions and failing to timely report his Florida administrative action.
8. Respondent failed to report the Louisiana administrative action to the Department within thirty (30) days of the final disposition of the matter and, as of the date of this filing, has not reported the administrative action.
9. On February 5, 2021, the State of Washington Department of Insurance entered into a Consent Order with Respondent to pay an administrative penalty of two hundred fifty dollars (\$250) due to Respondent's failure to timely disclose his Florida administrative action.
10. Respondent failed to report the State of Washington administrative action to the Department within thirty (30) days of the final disposition of the matter and, as of the date of this filing, has not reported the administrative action.
11. Indiana Code § 27-1-28-18(b)(2) states, in part, that the Commissioner may refuse to renew an independent adjuster's license for violating an insurance law.
12. Indiana Code § 27-1-28-22(a) is an insurance law that states, in part, that an independent adjuster shall report to the Commissioner any administrative action taken against the independent adjuster in another jurisdiction not more than thirty (30) days after the final disposition of the matter.
13. Indiana Code § 27-1-28-18(b)(6) states, in part, that the Commissioner may refuse to renew an independent adjuster license for having been convicted of a felony.

14. Indiana Code § 27-1-28-18(b)(9) states, in part, that the Commissioner may refuse to renew an independent adjuster license for having an insurance license, or its equivalent, probated, suspended, revoked, or refused in another state, province, district, or territory.
15. Indiana Code § 27-1-28-18(c) 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 notice.
16. The Commissioner further notifies Respondent that, pursuant to Indiana Code § 27-1-28-18(c), Respondent may, within thirty (30) 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 twenty (20) days from the date of receipt of Respondent's written demand.
17. 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 felony conviction, failing to disclose the same on his original application for licensure, and failure to timely report other state actions.

12/9/21
Date Signed



Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution:

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Daniel Dennis Despirito
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