

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 21454-AD22-0502-052

IN THE MATTER OF:)

Kevin M. Malott)
5337 S. Imperial Blvd.)
Crawfordsville, IN 47933)

Applicant.)

Type of Agency Action: Enforcement)

License Application #: 961338)

FILED

JUN 14 2022

STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE DENIAL

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 Kevin M. Malott ("Applicant") of the following Administrative Order:

1. Applicant applied for an Indiana resident producer license on April 11, 2022.
2. Applicant was previously licensed with the Department holding a resident producer license number 2567190 from October 13, 1995, through July 31, 2018, when his license was nonrenewed by Commissioner's Order.
3. On or about January 25, 2017, the Department was notified of Applicant's appointment termination for cause from Selective Insurance Company of America, due to Applicant twice retroactively binding his personal auto policy after a loss.

4. On August 10, 2018, the Department issued an Order and Notice of Nonrenewal against Applicant due to Applicant's termination for cause.
5. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-1-15.6-6 and Indiana Code § 27-1-15.6-12.
6. Indiana Code § 27-1-15.6-12(b)(8) provides that the Commissioner may refuse to issue or 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.
7. 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 § 27-1-15.6-12(b)(8) due to Applicant's termination for cause.
8. 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.
9. This is considered an administrative action by the Indiana Department of Insurance. If you choose to appeal this administrative action, please follow the aforementioned instructions. Subsequently, after the Department has received your written request for a hearing, the State of Indiana Office of Administrative Law Proceedings ("OALP") will assign an administrative law judge to preside over this matter, and you will receive more information from OALP to begin the administrative process

IT IS THEREFORE ORDERED that Applicant's request for licensure is hereby **DENIED** pursuant to Indiana Code § 27-1-15.6-12(b)(8) due to Applicant's termination for cause. Applicant may reapply for licensure not less than one (1) year from the date of this order.

6/14/22
Date Signed

Amy L. Beard
Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution to:

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