

STATE OF INDIANA)
) SS:
 COUNTY OF MARION)
 IN THE MATTER OF:)
)
 Damon T. Payne)
 4903 Marston Dr.)
 Fort Wayne, IN 46825)
)
 Applicant.)
)
 Type of Agency Action: Enforcement)
)
 Application ID: 955845)

BEFORE THE INDIANA
 COMMISSIONER OF INSURANCE
 CAUSE NO.: 21419-BB22-0622-001

FILED
OCT 06 2022
 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.*, as well as Indiana Code § 27-10-3-5 and § 27-10-3-8, hereby gives notice to Damon T. Payne (“Applicant”) of the following Administrative Order:

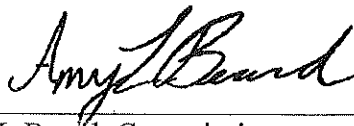
1. Applicant filed an application for recovery agent licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on March 17, 2022.
2. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code Indiana Code § 27-10-3-5 and § 27-10-3-8.
3. Indiana Code § 27-10-3-5(3)(A) provides, in part, that in addition to requirements prescribed in section 1 of this chapter, an applicant for a license to serve as a recovery agent must affirmatively show that in the case of a felony conviction, at least ten (10) years have passed since the date of the applicant's conviction or release from imprisonment, parole, or probation, whichever is later.

4. Indiana Code § 27-10-3-8(a)(3) provides, in part, that the Commissioner may deny a recovery agent's license for any material misstatement, misrepresentation, or fraud in obtaining the license.
5. Following a review of public records and a review of 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 § 27-10-3-5(3)(A), due to Applicant's criminal history. Applicant has felony convictions which include but are not limited to the following:
 - September 7, 2007, conviction for Forgery, a Class C Felony
 - August 17, 2010, conviction for two counts of Receiving Stolen Property, each a Class D Felony
 - March 19, 2012, conviction for three counts of Theft, each a Class D Felony
 - April 25, 2012, conviction for Theft, a Class D Felony, and Fraud, a Class D Felony
 - February 8, 2013, conviction for Theft, a Class D Felony
 - September 15, 2015, conviction for Escape, defendant knowingly or intentionally violated a home detention order, a Level 6 Felony
 - December 19, 2016, conviction for Auto Theft, where intent is to deprive owner of value or use of vehicle a Level 6 Felony
6. Following a review of public records, and a review of 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 § 27-10-3-8(a)(3), due to Applicant failing to disclose the above felony convictions.

7. Indiana Code § 4-21.5-3-7(a) provides that Applicant petition for review of this order by filing a written petition with the Commissioner within fifteen (15) days after receipt of this Order.

IT IS THEREFORE ORDERED that Applicant's request for licensure is hereby DENIED pursuant to Indiana Code § 27-10-3-5(3)(A) and § 27-10-3-8(a)(3) due to Applicant's multiple felony convictions and failure to disclose said felony convictions on his application for licensure. Applicant may reapply for licensure not less than one (1) year from the date of this order.

10.6.2022
Date Signed



Amy L Beard, Commissioner
Indiana Department of Insurance

Distribution to:

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