

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO: 21534-AD22-1017-103

IN THE MATTER OF:                     )

Dustin Bailey                             )  
10813 Snowdrop Way                     )  
Indianapolis, IN 46235                 )

Respondent.                             )

Type of Agency Action: Enforcement    )

License Number: 3161859                )

**FILED**

**NOV 23 2022**

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 Dustin Bailey (“Respondent”) of the following Administrative Order:

1. Respondent is a licensed resident insurance producer holding license number 3161859 (“Respondent’s license”) since June 1, 2016.
2. Respondent’s license expired on October 31, 2022.
3. On or about September 22, 2019, Respondent was charged on Possession of Marijuana, a Class B Misdemeanor.
4. On or about October 1, 2019, Respondent’s initial hearing in the criminal matter was held.
5. On February 13, 2020, Respondent was convicted of Possession of Marijuana, a Class B Misdemeanor.

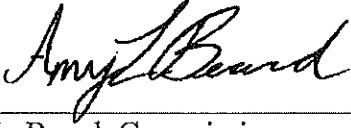
6. Respondent failed to timely report the 2019 criminal charges to the Department within thirty days of his initial pre-trial hearing.
7. Respondent failed to disclose the criminal charges and subsequent conviction to the Department on Respondent's application to add a qualification to his license on October 3, 2020.
8. On May 11, 2022, the Department received a letter from Kemper Life Insurance Company stating that a recent agency audit indicated that the Respondent had collected at least one thousand three hundred eight dollars (\$1,308) from policyholders that were not deposited with the Company.
9. 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 an insurance law.
10. 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.
11. Indiana Code § 27-1-15.6-12(b)(1) states, in part, that the Commissioner may refuse to renew an insurance producer license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.
12. Indiana Code § 27-1-15.6-12(b)(4) states, in part, that the Commissioner may refuse to renew an insurance producer license for improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business.
13. 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.

14. 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.
15. 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.
16. 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.

11.23.2022  
Date Signed

  
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Amy L. Beard, Commissioner  
Indiana Department of Insurance

Distribution:

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