

STATE OF INDIANA)
)
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

DOI CAUSE NO: 22013-AG22-1129-206
ADMINISTRATIVE CAUSE NO.: DOI-2301-000135

IN THE MATTER OF:)

Daschia Allen)
1380 W. Galbraith Rd.)
Cincinnati, OH 45231)

Petitioner.)

License Application #: 1017071)

Type of Agency Action: Enforcement)

FILED

AUG 31 2023

STATE OF INDIANA
DEPT. OF INSURANCE

FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER

1. On June 15, 2023, the Administrative Law Judge, Carrie Ingram, filed her Findings of Fact, Conclusions of Law and Nonfinal Order ("Recommended Order") in the above-captioned matter under Indiana Code § 4-21.5-3-27.

2. Counsel for the Department timely filed an objection with the Commissioner regarding the Administrative Law Judge's Recommended Order.

3. The ultimate authority shall issue a final order affirming, modifying, or dissolving the administrative law judge's order under Ind. Code § 4-21.5-3-29.

Therefore, the Commissioner of Insurance, being fully advised, now hereby issues the following Findings of Fact, Conclusions of Law and Final Order:

FINDINGS OF FACT

1. All Paragraphs set forth in the "Findings of Fact" section in the Recommended Order are adopted in full and incorporated herein.

CONCLUSIONS OF LAW

1. Paragraphs 1, 2, 3, 4, 5, 6, 7, and 11 of the "Conclusions of Law" section in the Recommended Order are adopted in full and incorporated herein.
2. Paragraph 8 of the "Conclusions of Law" section in the Recommended Order is modified to state: "Merriam-Webster dictionary defines conduct as 'a mode or standard of personal behavior especially as based on moral principles' Because the incident giving rise to the misdemeanor conviction occurred in connection with the Petitioner's car rental transaction, it occurred in the conduct of business. Petitioner demonstrated untrustworthiness in the conduct of business in Indiana or elsewhere in violation of Indiana Code 27-1-15.6-12(b)(8)."
3. Paragraph 9 of the "Conclusions of Law" section in the Recommended Order is modified to state: "The Petitioner has worked for an insurance company for two years. There are no allegations that in her current employment, Petitioner has used fraudulent, coercive, or dishonest practices, or has demonstrated incompetence, untrustworthiness, or financial irresponsibility. The only evidence presented related to Petitioner's conduct in her current employment is that she has worked for an insurance company for two years, her misdemeanor conviction has not affected that employment, and Petitioner considers herself to be a good employee."
4. Paragraph 10 of the "Conclusions of Law" section in the Recommended Order is stricken in its entirety.

FINAL ORDER

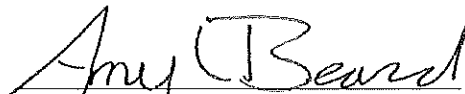
IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. The preliminary denial of Petitioner's Indiana resident insurance producer's license is reversed.

2. Petitioner's application for an Indiana resident insurance producer's license is hereby GRANTED.

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 31 day of August, 2023.


Amy L. Beard, Commissioner
Indiana Department of Insurance

Copies to:

Daschia Allen - dallen3@renaissancefamily.com

Samantha Aldridge, Attorney - saldridge@idoi.in.gov

Dawn Bopp, Indiana Department of Insurance - dbopp@idoi.in.gov

Office of Administrative Law Proceedings - OALP@oalp.in.gov

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

DOI CAUSE NO: 22013-AG22-1129-206
ADMINISTRATIVE CAUSE NO.: DOI-2301-000135

IN THE MATTER OF:)
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Daschia Allen)
1380 W Galbraith Rd)
Cincinnati, OH 45231)
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 Petitioner.)
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Type of Agency Action: Enforcement)
)
License Application #: 1017071)

**PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW
AND RECOMMENDED ORDER**

Comes now the Enforcement Division of the Indiana Department of Insurance (“Department”) by counsel, Samantha Aldridge, to object to the Administrative Law Judge’s Findings of Fact, Conclusions of Law and Recommended Order (“Recommended Order”) filed on June 15, 2023 and in support of such objections shows the Commissioner of the Indiana Department of Insurance (“Commissioner”) the following:

1. On January 10, 2023, the Commissioner issued her Preliminary Administrative Order and Notice of License Denial (“Denial Order”) against Daschia Allen (“Petitioner”) due to the nature of Petitioner’s recent theft conviction.

2. On February 13, 2023, a telephonic evidentiary hearing (“Hearing”) was held at the Department to determine whether the Denial Order of Petitioner’s application for a resident insurance producer license was reasonable.

3. On June 15, 2023, Administrative Law Judge Carrie T. Ingram (“ALJ”) issued her Findings of Fact, Conclusions of Law, and Nonfinal Order (“Recommended Order”) in this matter.

4. The June 15, 2023 Order operates as the Recommended Order in the above-captioned matter under Indiana Code § 4-21.5-3-27.

5. The Department objects to the Recommended Order Conclusions of Law paragraphs eight, nine, ten, and eleven.

6. The “Conclusions of Law” section of the Recommended Order in paragraph eight states, “While Petitioner’s actions may be considered dishonest or demonstrate untrustworthiness or financial irresponsibility, none of the actions took place in the conduct of business.”

7. Further, the “Conclusions of Law” section of the Recommended Order in paragraph nine states,

The Petitioner has worked for an insurance company for two years. There are no allegations that in the conduct of business, Petitioner has used fraudulent, coercive, or dishonest practices, or has demonstrated incompetence, untrustworthiness, or financial irresponsibility. The only evidence presented related to Petitioner’s conduct in business is that she has worked for an insurance company for two years, her misdemeanor conviction has not affected that employment, and Petitioner considers herself to be a good employee.

8. Indiana Code § 27-1-15.6-12(b)(8) chooses the term “in the conduct of business” which is inherently broader in meaning than “course of employment”. The violation need not be during the course of Petitioner’s job at an insurance company, but rather the conduct of any type of business. “No word or part of the statute should be rendered meaningless if it can be reconciled with the rest of the statute,” See *Indiana Alcohol & Tobacco Commission v. Spirited Sales, LLC*, 79 N.E.3d 371, 376 (Ind. 2017) (citing *West v. Indiana Secretary of State*, 54 N.E.3d 349, 353 (Ind. 2016), which cited *Siwinski v. Town of Ogden Dunes*, 949 N.E.2d 825, 828 (Ind. 2011)).

9. The Commissioner is charged with ensuring those to whom she gives her stamp of approval are trustworthy stewards of Indiana consumers. The legislature has entrusted Commissioner, not insurance companies, with licensing producers in the State of Indiana. While

Petitioner has maintained employment with her insurance company since Petitioner's misdemeanor conviction, the insurance company is not a licensing entity. Commissioner's decisions are made to protect Indiana consumers and she cannot defer that determination to companies, who have motivation for profitability that the Department is not bound by..

10. Petitioner admits to exercising unauthorized control over a rental car for weeks past the agreed rental period without payment. The relevant business transaction is an agreement between the buyer, here Petitioner, and the seller, here King's Toyota, to exchange goods in return for money. The Petitioner and the victim are engaged in the conduct of business when Petitioner exercised unauthorized control over the goods of King's Toyota. The Department objects to ALJ's finding that "business" must be in the course of Petitioner's employment with an insurance company under Indiana Code § 27-1-15.6-12(b)(8).

11. The "Conclusions of Law" section of the Recommended Order in paragraph ten states, "Therefore, the Petitioner has not used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere."

12. Petitioner was engaged in the conduct of business in a dishonest, untrustworthy, and financially irresponsible way with a car rental company when Petitioner exercised unauthorized control over a car that resulted in Petitioner pleading guilty to and being convicted of Theft, a misdemeanor on September 8, 2022. To the extent the ALJ finds Petitioner has not used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere, the Department objects.

13. The "Conclusions of Law" paragraph eleven states, "Petitioner has met her burden of proving that the Commissioner's decision not to issue her a resident insurance producer license was unreasonable."

14. To the extent the ALJ found Petitioner's criminal conviction, a misdemeanor conviction resulting from dishonest, untrustworthy, and financially irresponsible practices during the conduct of business, is not a reason to deny a license application under Indiana Code 27-1-15.6-12(b), the Department objects.

15. This Objection is being filed with the Commissioner within fifteen (15) days from the date of the filing of the Recommended Order pursuant to Indiana Code § 4-21.5-3-29(d).

WHEREFORE, the Department's Enforcement Division by its counsel, initiates this Objection to the Recommended Order proposed by the Administrative Law Judge and respectfully requests that the Commissioner adopt Findings of Fact and Conclusions of Law consistent with these objections.

Respectfully submitted,

/s/ Samantha Aldridge
Samantha Aldridge, Attorney No. 35162-49
Department of Insurance

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Objection to Recommended Order has been served upon Petitioner in the above-captioned proceeding via email on this 29th day of June.

Daschia Allen- dallen3@renaissancfamily.com

/s/ Samantha Aldridge
Samantha Aldridge, Attorney No. 35162-49
Department of Insurance

Distribution:

Daschia Allen- dallen3@renaissancfamily.com

Samantha Aldridge, Attorney - saldrige@idoi.in.gov

Dawn Bopp, Indiana Department of Insurance- dbopp@idoi.in.gov

Office of Administrative Law Proceedings- OALP@oalp.in.gov



ISSUED:
June 15,
2023

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

**Daschia Allen,
Petitioner,**

v.

**Department of Insurance,
Respondent.**

Administrative Case Number: DOI-2301-000135

Ultimate Authority: Commissioner of the Department of Insurance

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND NONFINAL ORDER

An evidentiary hearing was held on this matter on February 13, 2023, at 9:00 AM via telephonic conference. Administrative Law Judge (ALJ) Brian Hahn presided over the hearing. Prior to rendering of Law, and a Nonfinal Order in this matter, ALJ Hahn became unavailable to serve as the ALJ in this matter. The Office of Administrative Law Proceedings (OALP) Director reassigned this matter to ALJ Ingram to issue Findings of Fact, Conclusions of Law, and a Nonfinal Order pursuant to Indiana Code 4-21.5-3-27(e). This nonfinal order is favorable to the Petitioner.

At the evidentiary hearing, Daschia Allen appeared telephonically, and without counsel. The Department of Insurance (DOI) appeared telephonically by Counsel Samantha Aldridge, and Investigator Sara Tolliver.

Daschia Allen and Sara Tolliver testified at the evidentiary hearing. Petitioner offered no exhibits for admission and Respondent offered three exhibits for admission at the evidentiary hearing. The following exhibits were admitted at the evidentiary hearing:

1. Respondent's Exhibit 1, Charging information against Petitioner in case number 22CRA00109, 1 page, admitted without objection.
2. Respondent's Exhibit 2, Disposition of Sentence in case number 22CRA00109, 1 page, admitted without objection.
3. Respondent's Exhibit 3, a letter written by Daschia Allen on November 9, 2022, 1 page, admitted without objection.

On March 15, 2023, Respondent filed its proposed findings of fact and conclusions of law. Based upon the evidence presented at said hearing, ALJ Ingram now makes and issues the following Findings of Fact, Conclusions of Law, and Nonfinal Order.

FINDINGS OF FACT¹

1. Petitioner has worked for an insurance company for the past two years. When Petitioner started her position, she was enrolling people into dental insurance policies. During her employment, it became a requirement that she obtain a resident producer license with the Indiana Department of Insurance (DOI) to continue to enroll people in dental insurance policies.
2. On or about November 8, 2022, Petitioner applied for a resident producer license with DOI.
3. Petitioner disclosed a conviction for Theft, a Misdemeanor, in the State of Ohio.
4. On January 10, 2023, DOI denied her application for resident producer license because Petitioner failed to meet the requirements of Ind. Code § 27-1-15.6-12(b)(8) due to her misdemeanor conviction.
5. Petitioner's misdemeanor conviction stems from an incident involving a car rented from Kings Toyota Auto Mall on December 17, 2021.
6. Petitioner needed to rent a car on December 17, 2021, because she had recently been in an accident and her vehicle was totaled. Petitioner needed a vehicle for personal reasons, including transporting her child to and from school and going on vacation to Florida.
7. On December 17, 2021, Petitioner signed a contract with Kings Toyota to rent the car from December 17, 2021, to December 24, 2021. Petitioner paid cash for the rental car but provided a debit card to Kings Toyota in case there were any damages or other issues that required payment from Petitioner to Kings Toyota.
8. On December 24, 2021, Petitioner still needed a rental car. Petitioner called the rental company to ask about extending her rental agreement but was unable to get an immediate answer. Petitioner did not go to the physical location of Kings Toyota to return the car or ask about extending the rental agreement.
9. Petitioner has extended a rental agreement for a rental cars in the past, and in those instances, the rental car company charged her debit or credit card for the additional days that Petitioner had the rental car.

¹ Conclusions of Law that can be adopted as Findings of Fact are incorporated as such.

10. Petitioner wrongly assumed that Kings Toyota would just charge the debit card she provided to Kings Toyota when she initially signed the agreement.
11. When Petitioner did receive a call back from the rental company, she was told that the rental department employees had COVID-19 and weren't working. Employees of Kings Toyota's service department were handling matters from the rental department.
12. On February 4, 2022, Petitioner was charged with Felony 4 Theft in Mason, Ohio, Municipal Court, because she still had the rental car.
13. Petitioner returned the car on February 7, 2023.
14. On September 8, 2022, Petitioner accepted a plea agreement and was ultimately convicted of Theft as a misdemeanor. Petitioner was ordered to pay restitution in the amount of \$3,466 to Kings Toyota.
15. On the date of the hearing, Petitioner had a remaining balance of approximately \$2688 to be paid on her restitution.
16. Petitioner's conviction has not affected her employment with the insurance company and Petitioner considers herself a good employee.

CONCLUSIONS OF LAW²

1. OALP has jurisdiction over both the subject matter and the parties to this action and the Commissioner is the ultimate authority. Ind. Code § 27-1-15.6-12(d); Ind. Code §§ 4-15-10.5-12 and 13.
2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code, Ind. Code § 4-21.5-3. Ind. Code § 27-1-15.6-12(d).
3. The person requesting an agency act has the burden of persuasion and the burden of going forward. Ind. Code § 4-21.5-3-14(c). Petitioner requests that the Department issue a nonresident insurance producer license, therefore Petitioner bears the burden of proof.
4. Proceedings held before an ALJ are *de novo*, which means the ALJ does not—and may not—defer to an agency's initial determination. Indiana Code § 4-21.5-3-14(d); *Ind. Dep't of Natural Res. v. United Refuse Co., Inc.*, 615 N.E.2d 100, 104 (Ind. 1993). Instead, in its role as factfinder, the ALJ must independently weigh the evidence in the record and may base findings and conclusions only upon that record. *Id.* At a minimum, the ALJ's findings "...must be based upon the kind of evidence that is substantial and reliable." Indiana Code § 4-21.5-3-27(d). "[S]ubstantial evidence is such relevant

² Findings of Fact that can be adopted as Conclusions of Law are incorporated as such.

- evidence as a reasonable mind might accept as adequate to support the decision..." *St. Charles Tower, Inc. v. Bd. of Zoning Appeals*, 873 N.E.2d 598, 601 (Ind. 2007).
5. Despite the *de novo* review, Indiana Code 27-1-15.6-12(d) limits the ALJ's review to a determination of whether the Commissioner's actions were reasonable.
 6. The Commissioner may refuse to issue an insurance producer license to a person who "using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere." Ind. Code § 27-1-15.6-12(b)(8).
 7. For the Commissioner to properly refuse to issue an insurance producer license, the actions taken by the Petitioner must have taken place "in the conduct of business." Ind. Code § 27-1-15.6-12(b)(8); *Comm'r of Indiana Dep't of Ins. v. Schumaker*, 118 N.E.3d 11, 22 (Ind. Ct. App. 2018) (finding that "'in the conduct of business' modifies each of the causes listed in [Ind. Code § 27-1-15.6(b)(8)].").
 8. While Petitioner's actions may be considered dishonest or demonstrate untrustworthiness or financial irresponsibility, none of the actions took place in the conduct of business.
 9. The Petitioner has worked for an insurance company for two years. There are no allegations that in the conduct of business, Petitioner has used fraudulent, coercive, or dishonest practices, or has demonstrated incompetence, untrustworthiness, or financial irresponsibility. The only evidence presented related to Petitioner's conduct in business is that she has worked for an insurance company for two years, her misdemeanor conviction has not affected that employment, and Petitioner considers herself to be a good employee.
 10. Therefore, the Petitioner has not used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.
 11. Petitioner has met her burden of proving that the Commissioner's decision not to issue her a resident insurance producer license was unreasonable.

NONFINAL ORDER

In consideration of the foregoing, Findings of Fact and the Conclusions of Law as stated, the ALJ now recommends that the Commissioner REVERSE her decision to not issue an insurance producer license to the Petitioner.

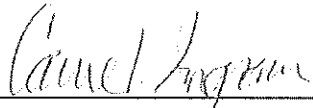
ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner of the Department of Insurance on June 15, 2023. This order is not final.

This matter is now before the ultimate authority, the Commissioner of the Department of Insurance who has the final authority over this matter and shall review this Nonfinal 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, the Commissioner of the Department of Insurance, within fifteen (15) days from the date of this Order. Indiana Code 4-21.5-3-29. For provisions on how to compute days see Ind. Code § 4-21.5-3-2.

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

So Ordered: June 15, 2023.



Carrie T. Ingram
Administrative Law Judge
Indiana Office of Administrative Law Proceedings

Distribution:

Petitioner: Daschia Allen served by email at 1380 W Galbraith Road, Cincinnati, OH 45231

Respondent: Department of Insurance served by email to Attorney Samantha Aldridge at saldridge@idoi.in.gov

Ultimate Authority: Commissioner of the Department of Insurance served by email at DBopp@idoi.in.gov

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

DOI CAUSE NO: 22013-AG22-1129-206
ADMINISTRATIVE CAUSE NO.: DOI-2301-000135

IN THE MATTER OF:)
)
Daschia Allen)
1380 W Galbraith Rd)
Cincinnati, OH 45231)
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 Petitioner.)
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Type of Agency Action: Enforcement)
)
License Application #: 1017071)

**PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW
AND RECOMMENDED ORDER**

Administrative Law Judge (“ALJ”) Brian D. Hahn, having considered and reviewed all of the evidence, will now render a decision in the matter of Daschia Allen (“Petitioner”). This matter came to be heard by the ALJ on Monday, February 13, 2023 at 9:00 a.m. via audio conferencing at the Office of Administrative Law Proceedings.

The Enforcement Division of the Indiana Department of Insurance (“Department”) was represented by counsel, Samantha Aldridge. Petitioner appeared telephonically, and without counsel. 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 her Recommended Order.

FINDINGS OF FACT

1. Petitioner submitted an application for a nonresident producer license on November 8, 2022. (Hearing Transcript, p. 19-20)

2. On Petitioner's application for licensure, Petitioner disclosed her criminal history. (Hearing Transcript, p. 20)

3. The Commissioner entered her Preliminary Administrative Order and Notice of License Denial on January 10, 2023 due to the nature of Petitioner's recent theft conviction.

4. A hearing was held at Petitioner's request on February 13, 2023.

5. Petitioner disclosed her criminal history, which includes her September 8, 2022 conviction for Theft, a Misdemeanor, in the State of Ohio. (Hearing Transcript p. 20, 32, Department's Exhibit 2)

6. Petitioner rented a car for a period of seven days, December 17th through December 24, 2021. (Hearing Transcript p. 20, Department's Exhibit 1)

7. Petitioner did not return the rental car until February 7, 2022. (Hearing Transcript p. 20)

8. Petitioner testified in Petitioner's case in chief that she could not contact the rental car company because Petitioner worked Monday through Friday and the company was closed after her work. (Hearing Transcript p. 16)

9. Petitioner later testified that she kept the rental car to get her child to school. (Hearing Transcript p. 21)

10. Petitioner disclosed to the Department prior to hearing that took the rental car on vacation in Florida. (Hearing Transcript p. 21, Department's Exhibit 3)

11. Petitioner never made contact with a representative from the car rental company to extend the rental agreement. (Hearing Transcript p. 17, Department's Exhibit 3)

12. Petitioner failed to present any evidence of phone calls made to the car rental company.

13. Petitioner knew for the weeks she kept the car past the rental agreement period that she was not paying for the car or being charged on her debit card. (Hearing Transcript p. 22)

14. Petitioner admits to committing the same manner of theft of rental cars multiple times in the past. (Hearing Transcript p. 26-27)

15. Petitioner places blame on the rental car company for Petitioner keeping the rental car past the time frame Petitioner agreed to. (Hearing Transcript p. 26-27)

16. Petitioner's testimony was inconsistent and untrustworthy in nature.

17. Petitioner admitted no exhibits at the hearing.

18. The Department admitted three (3) exhibits at the hearing.

19. 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)(8) allows the Commissioner to refuse to issue a producer's license for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.

5. Petitioner's recent criminal conviction on September 8, 2022 for Theft, a misdemeanor for failing to return a rental car and her pattern of failing to return rental cars in the time periods agreed to is in violation of Indiana Code § 27-1-15.6-12(b)(8).

6. 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 issue her a nonresident producer license and, therefore, bears the burden.

7. 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 her burden of proving the Commissioner's decision was unreasonable.

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

RECOMMENDED ORDER

With the Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the Commissioner the following:

1. The denial of Petitioner's nonresident producer license under license application number 1017071 shall be AFFIRMED.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner this _____ day of _____, 2023.

Brian D. Hahn
Administrative Law Judge

Distribution:

Daschia Allen
1380 W Galbraith Rd
Cincinnati, OH 45231

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

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 22013-AG22-1129-206

IN THE MATTER OF:

Daschia Allen
1380 W Galbraith Rd
Cincinnati, OH 45231

Applicant.

Type of Agency Action: Enforcement

License Application #: 1017071

FILED

JAN 10 2023

STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE DENIAL

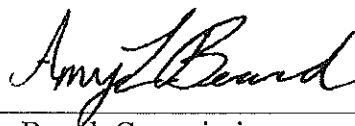
The Indiana Department of Insurance ("Department"), pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.* and Indiana Code § 27-1-15.6-12, hereby gives notice to Daschia Allen ("Applicant") of the following Administrative Order:

1. Applicant submitted an application for resident producer licensure with the Commissioner of the Indiana Department of Insurance ("Commissioner") on November 8, 2022.
2. 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.
3. Indiana Code § 27-1-15.6-12(b)(8) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.

4. Following a review of public records and the materials submitted by the Applicant, the Commissioner, being fully advised, now hereby notifies Applicant that she has not fully met the requirements of licensure, as stated by Indiana Code § 27-1-15.6-12(b)(8), due to Applicant being convicted on September 8, 2022, of Theft, a Misdemeanor, in the State of Ohio.
5. 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 applicant's application is mailed, make written demand to the Commissioner for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action.
6. 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 untrustworthiness. Applicant may reapply for licensure not less than one (1) year from the date of this order.

01.10.2023
Date Signed



Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution:

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Cincinnati, OH 45231

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ATTN: Sara Tolliver, Investigator
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317 234-5883, Fax 317 234-2103