

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

IN THE MATTER OF:)
)
)
Randy Lankford)
)
Respondent)
)
Type of Agency Action:Enforcement)
)

FILED

JAN 30 2024

STATE OF INDIANA
DEPT. OF INSURANCE

CAUSE NO.: DOI-2309-002446
22556-AG23-0629-089

FINAL ORDER

On November 21, 2023, the Administrative Law Judge, Vanessa Voigt Gould, filed her Non-Final Administrative Decision Order in the above-captioned matter.

1. The Department served Non-Final Administrative Decision Order and Notice of Filing Non-Final Order on Respondent by U.S. Postal Mail and emailing the same to his mailing address and email address of record.

2. The Department has complied with the notice requirements of Ind. Code §4-21.5-3-17.

3. Neither party has filed an objection with the Commissioner regarding the Administrative Law Judge’s Non-Final Administrative Decision Order and more than eighteen (18) days have elapsed.

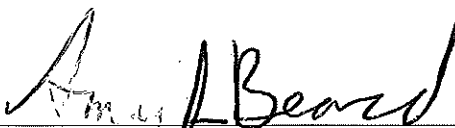
Therefore, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge’s Non-Final Administrative Decision Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent's license number 3823843 is permanently REVOKED.

Under Ind. Code §4-21.5-5-5, Respondent 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 30 day of January, 2024.


Amy L. Beard, Commissioner
Indiana Department of Insurance

Copies to:

Randy Lankford via US Postal Mail at 117 Union St., New Albany, IN 47150 and via email at lankfordrandy71@gmail.com

Samantha Aldridge, Attorney
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204
saldridge@idoi.in.gov

STATE OF INDIANA)
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BEFORE THE INDIANA
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CAUSE NO.: 22556-AG23-0629-089

IN THE MATTER OF:)
)
Randy R. Lankford)
117 Union Street)
New Albany, IN 47150)
)
Respondent.)
)
Type of Agency Action: Enforcement)
)
License Number: 3823843)



Filed September 19, 2023

STATEMENT OF CHARGES

The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Samantha Aldridge, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5 *et seq.*, files its Statement of Charges against Randy R. Lankford (“Respondent”), as follows:

FACTS

1. Randy R. Lankford (“Respondent”) is a resident insurance producer, holding license #3823843 since August 20, 2022.
2. Respondent’s license does not expire until March 31, 2025.
3. On July 1, 2022, the Jeffersonville police responded to a complaint at Lankford Funeral Home, where Respondent is the primary owner and funeral director.

4. Upon arrival at Respondent's funeral home, the Jeffersonville police found approximately 30 decomposing bodies, in various stages of decomposition some as old as March 2022, as well as 17 urns containing cremains.
5. The next of kin of the deceased were unaware as many thought they had the cremains of their relative or loved one, but as it turns out had the cremains of a stranger.
6. Approximately 10 days after Respondent obtained his licensure, on August 30, 2022, Respondent was charged in Clark County Circuit Court under Cause Number 10C03-2208-F6-001106 due to the aforementioned conduct.
7. Respondent was charged with of a total of 87 charges, which included: 43 counts of Theft where value of property is between \$750 and \$50,000, a Level 6 Felony; 43 counts of Theft, a Class A Misdemeanor (*subsequently dismissed*); and 1 count of Corrupt Business Influence, a Level 5 Felony (*subsequently dismissed*).
8. On September 1, 2022, Respondent had his initial hearing in Cause Number 10C03-2208-F6-001106.
9. Respondent failed to notify the Department about this criminal prosecution within 30 days of his initial hearing.
10. On June 23, 2023, Respondent plead guilty to the 43 counts of Theft, Level 6 Felony.
11. On June 26, 2023, Respondent emailed the Department, which was his first notification to the Department, regarding his criminal prosecution and conviction, and inquired on how it would affect his licensure.

COUNT I

1. Averments 1 through 11 are incorporated fully as if set forth herein.

2. Respondent's conduct is a violation of Indiana Code § 27-1-15.6-12(b)(2)(A) which states, in part, that the Commissioner may permanently revoke an insurance producer license for violating an insurance law.
3. Indiana Code § 27-1-15.6-17(b) is an insurance law, that states in part, that an insurance producer shall report not more than thirty (30) days after an initial pretrial hearing date to the Commissioner any criminal prosecution of the producer.

COUNT II

1. Averments 1 through 11 are incorporated fully as if set forth herein.
2. Respondent's conduct is a violation of Indiana Code § 27-1-15.6-12(b)(6) which states, in part, that the Commissioner may permanently revoke an insurance producer license for having been convicted of a felony.

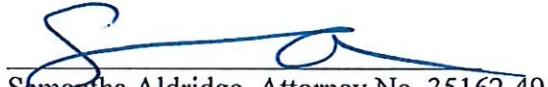
COUNT III

1. Averments 1 through 11 are incorporated fully as if set forth herein.
2. Respondent's conduct is a violation of Indiana Code § 27-1-15.6-12(b)(8) which states, in part, that the Commissioner may permanently revoke 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.

WHEREFORE, the Enforcement Division of the Indiana Department of Insurance, by counsel, Samantha Aldridge, respectfully requests that the Commissioner set this matter for a hearing pursuant to Indiana Code § 4-21.5 and:

1. Issue an order permanently revoking Respondent's resident producer license; and
2. All other relief just and proper upon the premises.

Respectfully submitted,




Samantha Aldridge, Attorney No. 35162-49
Enforcement Division
Indiana Department of Insurance
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787
Telephone: (317) 234-5887
Facsimile: (317) 232-5251

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served upon the following Respondent by United States first class mail, postage prepaid, the same day as filing.

Randy R. Lankford
117 Union Street
New Albany, IN 47150



Samantha Aldridge, Attorney

STATE OF INDIANA)
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BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 22556-AG23-0629-089

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Randy R. Lankford)
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New Albany, IN 47150)
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Respondent.)
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Type of Agency Action: Enforcement)
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License Number: 3823843)

FILED

JUL 27 2023

STATE OF INDIANA
DEPT. OF INSURANCE

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND EMERGENCY ORDER**

The Commissioner of the Indiana Department of Insurance (“Commissioner”), being duly advised, now issues the following Findings of Fact, Conclusions of Law, and Emergency Order:

Findings of Fact

1. Randy R. Lankford (“Respondent”) is a licensed resident insurance producer, holding license number 3823843 since August 20, 2022.
2. On or around August 30, 2022, Respondent was charged with a total of 87 criminal charges, which included: 43 counts of Theft where value of property is between \$750 and \$50,000, a Level 6 Felony; 43 counts of Theft, a Class A Misdemeanor; and 1 count of Corrupt Business Influence, a Level 5 Felony under Cause Number: 10C03-2208-F6-001106 in Clark County Circuit Court in Indiana.
3. On or about September 1, 2022, Respondent had his initial hearing in the criminal proceeding.

4. Respondent's charges for the 43 counts of Theft, a Class A Misdemeanor; and 1 count of Corrupt Business Influence, a Level 5 Felony, were dismissed pursuant to a plea agreement.

5. On June 23, 2023, Respondent pled guilty to and was convicted of 43 counts of Theft where value of property is between \$750 and \$50,000, a Level 6 Felony, in Clark County, Indiana.

6. On June 26, 2023, Respondent provided notice to the Department about his criminal prosecution and his subsequent multiple felony convictions.

7. Respondent failed to notify the Department about his criminal prosecution within thirty (30) days from the date of his initial hearing in the criminal proceeding.

Conclusions of Law

1. An emergency exists such that an emergency order is appropriate under Indiana Code § 4-21.5-4-1, in that Respondent's continued selling of insurance in the state of Indiana with a valid license places him in a position of trust with Indiana consumers and in control of Indiana consumers' financial circumstances.

2. Indiana Code § 27-1-15.6-12(b)(6) authorizes the Commissioner to suspend an insurance producer for having been convicted of a felony.

3. Indiana Code § 27-1-15.6-12(b)(8) authorizes the Commissioner to suspend an insurance producer for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.

4. Indiana Code § 27-1-15.6-12(b)(2)(A) authorizes the Commissioner to suspend an insurance producer for violating an insurance law.

5. Indiana Code § 27-1-15.6-17(b) is an insurance law, that states in part, that an insurance producer shall report not more than thirty (30) days after an initial pretrial hearing date to the Commissioner any criminal prosecution of the producer.

6. This Emergency Order is issued pursuant to Indiana Code § 4-21.5-4-2(a)(1).

ORDER


With the Findings of Fact and Conclusions of Law as stated above, the Commissioner now orders:

1. Randy R. Lankford's Indiana Resident Producer License # 3823843 is hereby immediately suspended for ninety (90) days, renewable as necessary per Indiana Code § 4-21.5-4-5.

Under Indiana Code § 4-21.5-4-3, this Emergency Order is effective when issued.

Respondent has the right to request a hearing on this Emergency Order by filing a request for a hearing with the Department, and if requested, an evidentiary hearing will be set on the matter as soon as practicable.

7.27.2023
Dated



Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution to:

Randy R. Lankford
117 Union Street
New Albany, IN 47150

Victoria Hastings, Attorney
ATTN: Hana Biele, Jr. Investigator
Enforcement Division
Indiana Department of Insurance
311 W. Washington St, Ste 103
Indianapolis, IN 46204

STATE OF INDIANA)
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BEFORE THE INDIANA
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Respondent.)
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Type of Agency Action: Enforcement)
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License Number: 3823843)

FILED

JUL 27 2023

STATE OF INDIANA
DEPT. OF INSURANCE

MOTION FOR EMERGENCY SUSPENSION

The Enforcement Division of the Indiana Department of Insurance (“Enforcement Division”), pursuant to Indiana Code § 4-21.5-4 *et seq.*, files its petition for emergency suspension against agent Randy R. Lankford (“Respondent”), and states:

1. Respondent is a resident insurance producer holding license number 3823843 since August 20, 2022.
2. Respondent’s license expires on March 31, 2025.
3. On or around August 30, 2022, Respondent was charged with a total of 87 criminal charges, which included: 43 counts of Theft where value of property is between \$750 and \$50,000, a Level 6 Felony; 43 counts of Theft, a Class A Misdemeanor; and 1 count of Corrupt Business Influence, a Level 5 Felony under Cause Number: 10C03-2208-F6-001106 in Clark County Circuit Court in Indiana.
4. On or about September 1, 2022, Respondent had his initial hearing in the aforementioned criminal proceeding.

5. Respondent failed to notify the Department about his criminal prosecution within thirty (30) days from the date of his initial hearing in the criminal proceeding.

6. Respondent's charges for the 43 counts of Theft, a Class A Misdemeanor; and 1 count of Corrupt Business Influence, a Level 5 Felony, were dismissed pursuant to a plea agreement.

7. On June 23, 2023, Respondent pled guilty to and was convicted of 43 counts of Theft where value of property is between \$750 and \$50,000, a Level 6 Felony, in Clark County, Indiana.

8. On June 26, 2023, Respondent provided notice to the Department about his criminal prosecution and his subsequent multiple felony convictions.

9. The Department has serious consumer protection concerns regarding Respondent's competence and trustworthiness.

10. An emergency exists in that Respondent's continued selling of insurance in the state of Indiana with a valid license places him in a position of trust with Indiana consumers and in control of Indiana consumers' financial circumstances.

11. Indiana Code § 27-1-15.6-12(b)(6) authorizes the Commissioner to suspend an insurance producer for having a felony conviction.

12. Indiana Code § 27-1-15.6-12(b)(8) authorizes the Commissioner to suspend an insurance producer for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.

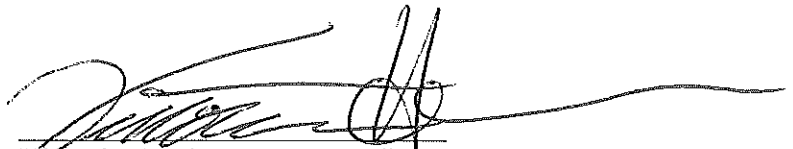
13. Indiana Code § 27-1-15.6-12(b)(2)(A) authorizes the Commissioner to suspend an insurance producer for violating an insurance law.

14. Indiana Code § 27-1-15.6-17(b) is an insurance law, that states in part, that an insurance producer shall report not more than thirty (30) days after an initial pretrial hearing date to the Commissioner any criminal prosecution of the producer.

15. Under Indiana Code § 4-21.5-4-2(a)(1), the Commissioner may, in an emergency, issue orders without notice or an evidentiary proceeding. However, Indiana Code § 4-21.5-4-4 provides that upon issuance of an emergency order, the Respondent may request a hearing as quickly as practicable.

16. Respondent should be required to cease practice as an insurance agent until the Department can be sure that Respondent can practice competently and in an ethically responsible manner.

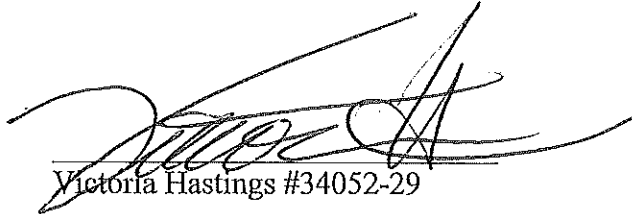
WHEREFORE, the Enforcement Division requests that the Department issue an order suspending the insurance license of Randy R. Lankford under Indiana Code § 4-21.5-4-2, and for all other necessary and proper relief.



Victoria Hastings, Attorney #34052-29
Indiana Department of Insurance
Enforcement Division
311 West Washington Street
Indianapolis, IN 46204

Certificate of Service

I certify that a copy of the foregoing has been served upon the Respondent by United States First Class mail, postage prepaid, the same day as filing.



Victoria Hastings #34052-29

Enforcement Division
Indiana Department of Insurance
311 W Washington St, Ste 103
Indianapolis, IN 46234