

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO: 22309-AG23-0803-117

IN THE MATTER OF: )  
 )  
Joshua Fitts )  
10 E Ontario St. Apt 3305 )  
Chicago, IL 60611 )  
Respondent. )  
Type of Agency Action: Enforcement )  
License Number: 3620042 )

**FILED**  
OCT 19 2023  
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 Joshua Fitts (“Respondent”) of the following Administrative Order:


1. Respondent is a licensed nonresident insurance producer holding license number 3620042 (“Respondent’s license”) since December 21, 2020.
2. Respondent’s license expired on July 31, 2023.
3. Respondent resigned from State Farm on February 10, 2023.
4. On or about March 21, 2023, State Farm Insurance (“State Farm”) notified the Department that Respondent’s voluntary resignation was converted to “terminated of appointment as for cause” due to Respondent’s misappropriation of premium. State Farm’s internal audit determined Respondent transferred premium funds from the

premium fund account into a personal account, and then later returned the funds to the premium fund account.

5. 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.
6. 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.
7. 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.
8. 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.
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.

WHEREFORE, based on the foregoing, the Commissioner of Insurance hereby notifies Respondent that **Respondent's license shall not be renewed** due to Respondent's violation of Indiana Codes §§ 27-1-15.6-12(b)(4) and 27-1-15.6-12(b)(8).

10.19.2023  
Date Signed

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

Distribution:

Joshua Fitts  
10 E Ontario, Apt. 3305  
Chicago, IL 60611

Samantha Aldridge, Attorney  
ATTN: Gina Davies, Sr. Investigator  
Indiana Department of Insurance  
311 W Washington St., Suite 103  
Indianapolis, IN 46204-2787