

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO: 22012-AG24-0108-006

IN THE MATTER OF:)
)
Star Smith)
1401 W Park Drive)
Carrollton, TX 75006)
)
Respondent.)
)
Type of Agency Action: Enforcement)
)
License Number: 3702390)

FILED

FEB 27 2024

STATE OF INDIANA
DEPT. OF INSURANCE

ADMINISTRATIVE ORDER AND
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 § 27-1-28-18, hereby gives notice to Star Smith ("Respondent") of the following Administrative Order:

1. Respondent was a licensed nonresident independent adjuster holding license number 3702390 ("Respondent's license") since August 2, 2021.
2. Respondent's license expired on December 31, 2023.
3. Respondent failed to disclose the following three felony convictions on Respondent's application:
 - a. On August 7, 2003, Respondent was convicted of Theft, a Class 6 Felony in the State of Arizona.
 - b. On November 27, 2006, Respondent was convicted of Theft, a Class 5 Felony in the State of Arizona.

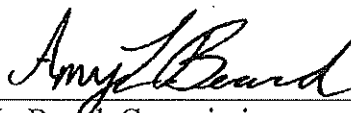
- c. On November 27, 2006, Respondent was convicted of Fraudulent Schemes and Artifices, a Class 2 Felony in the State of Arizona.
- 4. Respondent failed to report the following three administrative actions to the Department within thirty (30) days after the final disposition of the matter:
 - a. A February 21, 2022, license denial by the Florida Office of Insurance Regulation, due to Respondent's criminal history.
 - b. A November 21, 2022, license revocation by the Louisiana Department of Insurance, due to Respondent's failure to disclose Respondent's criminal history and the Florida Office of Insurance Regulation's administrative action.
 - c. A June 15, 2023, license denial by the Florida Office of Insurance Regulation, due to Respondent's criminal history.
- 5. Indiana Code § 27-1-28-18(b)(1) states, in part, that the Commissioner may refuse to renew an independent adjuster license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.
- 6. Indiana Code § 27-1-28-18(b)(6) states, in part, that the Commissioner may refuse to renew an independent adjuster license for having been convicted of a felony.
- 7. Indiana Code § 27-1-28-18(b)(9) states, in part, that the Commissioner may refuse to renew an independent adjuster license for having an insurance license, or its equivalent, probated, suspended, revoked, or refused in another state, province, district, or territory.
- 8. Indiana Code § 27-1-28-18(b)(2) states, in part, that the Commissioner may refuse to renew an independent adjuster license for violating an insurance law.
- 9. Indiana Code § 27-1-28-22(a)(1) is an insurance law that states, in part, an independent adjuster shall report to the Commissioner an administrative action taken against the

independent adjuster in another jurisdiction not more than thirty (30) days after the final disposition of the matter.

10. The Commissioner further notifies Respondent that, pursuant to Indiana Code § 27-1-28-18(c), Respondent may, not more than thirty (30) days after receiving the Commissioner's notice of refusal, make written demand upon the Commissioner for a hearing to determine the reasonableness of the refusal. Such hearing shall be held not more than twenty (20) days after the Commissioner receives Respondent's written demand.
11. 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 Felony convictions and for failing to timely report three administrative actions to the Department while licensed.

02.27.2024
Date Signed



Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution:

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