

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 23272-AD24-0506-022

IN THE MATTER OF:)
)
Tab A. Burcham)
4119 E. Oak Ridge Estates)
Haubstadt, IN 47639)
)
Applicant.)
)
Type of Agency Action: Enforcement)
)
License Application #: 1139745)

FILED

JUL 15 2024

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 Tab A. Burcham (“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 April 18, 2024.
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)(6) states, in part, that the Commissioner may refuse to issue an insurance producer license for having been convicted of a felony.
4. Indiana Code § 27-1-15.6-12(b)(8) states, in part, that the Commissioner may refuse to issue 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.

5. On December 13, 2016, Applicant submitted three insurance claims to Erie Insurance for a fire that occurred at Applicant's business, Burcham Motorsports, which were denied due to alleged material misrepresentations and alleged intentional acts committed by Applicant, and which were related to Applicant's criminal prosecution for Arson under Cause Number 42C01-1706-F4-000010.
6. On April 18, 2022, Applicant was convicted of Arson, a Level 4 Felony, in Knox County, Indiana, under Cause Number 42C01-1706-F4-000010.
7. Following a review of public records and the materials submitted by Applicant, the Commissioner, being fully advised, now hereby notifies Applicant that Applicant has not fully met the requirements of licensure, as stated by Indiana Codes §§ 27-1-15.6-12(b)(6) and 27-1-15.6-12(b)(8) due to Applicant's felony conviction and demonstrated untrustworthiness.
8. 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.
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.

IT IS THEREFORE ORDERED that Applicant's request for licensure is hereby **DENIED** pursuant to Indiana Codes §§ 27-1-15.6-12(b)(6) and 27-1-15.6-12(b)(8) due to Applicant's felony conviction and demonstrated untrustworthiness. Applicant may reapply for licensure not less than one (1) year from the date of this order.

July 15, 2024
Date Signed



Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution:

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