



Ohio Revised Code

Section 3905.15 Hearing to determine administrative action modification.

Effective: September 1, 2002

Legislation: Senate Bill 129

(A) Upon written application of a person whose license was denied, suspended, revoked, or surrendered for cause under section 3905.14 of the Revised Code, the superintendent of insurance shall hold a hearing to determine whether the administrative action imposing the denial, suspension, revocation, or surrender should be modified, provided that all of the following conditions are met:

- (1) At least five years have elapsed since the date of the administrative action sought to be modified;
- (2) At least two years have elapsed since any previous request for a modification was made under this section;
- (3) The burden of proof is on the person requesting the modification.

(B) The modification of an order issued or consent agreement entered into under section 3905.14 of the Revised Code is at the discretion of the superintendent. The superintendent may modify such an order or agreement if the superintendent finds all of the following:

- (1) At least five years have elapsed since the date of the administrative action;
- (2) The person is of good business repute and is suitable to be an insurance agent;
- (3) The person has made restitution for all pecuniary losses suffered by any person as a result of the conduct that gave rise to the administrative action;
- (4) The person has not been convicted of any felony or of any misdemeanor described in division (B)(7) of section 3905.14 of the Revised Code unless the conviction was the subject of a previous administrative action by the superintendent;
- (5) The circumstances surrounding the previous violation are such that it is unlikely the person



would commit such offenses in the future;

(6) The person's character has been rehabilitated.

(C) The issuance of any license pursuant to a modification under this section shall be conditioned upon the successful completion of all prelicensing education and examination requirements.
