

**STATE OF OHIO
DEPARTMENT OF INSURANCE**
50 WEST TOWN STREET
3RD FLOOR, SUITE 300
COLUMBUS, OHIO 43215

In the Matter of: :
LARRY A. SAYDEH :
NPN: 21071853 : JUDITH L. FRENCH
TO BECOME LICENSED AS A : Superintendent/Director
RESIDENT INSURANCE AGENT :
: :
:

NOTICE OF OPPORTUNITY FOR HEARING
&
NOTICE OF INTENT TO DENY LICENSE

The Ohio Department of Insurance (“Department”), by and through its Superintendent, is charged with the responsibility of administering and enforcing Title 39 of the Ohio Revised Code (“R.C.”) and the associated rules and regulations.

Larry A. Saydeh (“Saydeh”) applied to become licensed as a resident insurance agent in the State of Ohio on or about February 9, 2024. The Department, on behalf of the Superintendent, investigated Saydeh’s activities. As a result of its investigation, the Department alleges that Saydeh violated the laws and regulations of this State and that he is not suited to be licensed as a resident insurance agent in the State of Ohio.

In accordance with R.C. Chapter 119 and Title 39, Saydeh is notified that the Superintendent intends to decide whether to refuse to issue him a license as an insurance agent in the State of Ohio or impose any other sanction authorized by R.C. 9.79 or 3905.14(E), including civil penalties or administrative costs. The grounds for that action are alleged below.

COUNT ONE

1. On or about February 9, 2024, Saydeh submitted an application to the Department for a resident insurance agent license. Saydeh’s application for a resident insurance agent license remains pending.
2. On or about February 28, 2018, in the Court of Common Pleas for Cuyahoga County, Ohio, Saydeh was convicted of Burglary, as codified at R.C. 2911.12(A)(3), a felony offense. The Court sentenced Saydeh to 18 months of community control/probation.
3. Burglary is a felony offense involving dishonesty or breach of trust.

4. R.C. 3905.14(B)(6) states that the Superintendent may suspend, revoke, or refuse to issue or renew any license of an insurance agent for having been convicted of or pleaded guilty or no contest to a felony.
5. R.C. 3905.14(C) states that the Superintendent shall not refuse to issue a license to an applicant because of a conviction of or a plea of guilty or no contest to an offense unless the refusal is in accordance with R.C. 9.79. R.C. 9.79(I)(2) states that R.C. 9.79 does not apply to any position for which federal law requires disqualification from licensure or employment based on a conviction of, judicial finding of guilt of, or plea of guilty to an offense. 18 U.S.C. 1033 prohibits individuals who are convicted of a criminal felony involving dishonesty or the breach of trust from engaging in the business of insurance without the written consent of any insurance regulatory official authorized to regulate the insurer.
6. Saydeh does not have the written consent of any insurance regulatory official to engage in the business of insurance.

COUNT TWO

7. On or about February 9, 2024, Saydeh submitted an application to the Department for a resident insurance agent license. Saydeh's application for a resident insurance agent license remains pending.
8. On or about February 28, 2018, in the Court of Common Pleas for Cuyahoga County, Ohio, Saydeh was convicted of Burglary, as codified at R.C. 2911.12(A)(3), a felony offense. The Court sentenced Saydeh to 18 months of community control/probation.
9. R.C. 3905.14(B)(6) states that the Superintendent may suspend, revoke, or refuse to issue or renew any license of an insurance agent for having been convicted of or pleaded guilty or no contest to a felony.
10. R.C. 3905.14(C) states that the Superintendent shall not refuse to issue a license to an applicant because of a conviction of or a plea of guilty or no contest to an offense unless the refusal is in accordance with R.C. 9.79.
11. R.C. 9.79(C)(2) states that a licensing authority shall not refuse to issue an initial license to an individual based solely or in part on a conviction of, judicial finding of guilt of, or plea of guilty unless that individual was convicted of, found guilty pursuant to a judicial finding of, or pleaded guilty to a

disqualifying offense included in the licensing authority's list of disqualifying offenses adopted under R.C. 9.79(B) applicable to the license for which the individual applied, in which case the licensing authority may take the conviction, judicial finding of guilt, or plea of guilty into consideration in accordance with R.C. 9.79(D).

12. Burglary in violation of R.C. 2911.12(A)(3) is an offense of violence under R.C. 2901.01(A)(9)(a). Under R.C. 9.79(D)(2)(c), the Department may consider a conviction, judicial finding of guilt, or plea of guilty to an offense of violence at any time.

13. Pursuant to R.C. 9.79(D), if an applicant was convicted of, found guilty pursuant to a judicial finding of, or pleaded guilty to a disqualifying offense included in the Department's disqualifying offense list adopted under R.C. 9.79(B) for the license for which the applicant applied, the Department may determine whether the conviction, judicial finding of guilt, or plea of guilty disqualifies the applicant from receiving the license. In making its determination, the Department shall use a preponderance of the evidence standard and shall consider all of the following factors:

- a. The nature and seriousness of the offense for which the applicant was convicted, found guilty pursuant to a judicial finding, or pleaded guilty;
- b. The passage of time since the applicant committed the offense;
- c. The relationship of the offense to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation;
- d. Any evidence of mitigating rehabilitation or treatment undertaken by the applicant; and
- e. Whether the denial of the license is reasonably necessary to ensure public safety.

14. Burglary in violation of R.C. 2911.12(A)(3) is a felony offense and an offense of violence that the Department may consider at any time. The nature and seriousness of that offense, specifically one that involves trespass in an occupied structure or in a separately secured or separately occupied portion of an occupied structure with the purpose to commit a criminal offense, warrants disqualification. The duties of a resident insurance agent include meeting in person with members of the public for the sale, solicitation, and negotiation of insurance, assessing risk, preparing quotes, and counseling and communicating

with consumers. These situations have the potential for confrontational behavior, and insurance agents are expected to remain calm, avoid violence, and assist the consumer. An individual that has previously trespassed in an occupied structure with the purpose to commit a criminal offense poses a serious risk to the public. Furthermore, Saydeh did not provide any materials that address mitigating rehabilitation or treatment received as part of his application. Based upon the proceeding factors, the denial of Saydeh's application for a resident insurance agent license is necessary to ensure public safety.

15. Per R.C. 9.78(C) and 9.79(B)(1), the offense of Burglary is listed on the Department's disqualifying offense list which is available to the public on the Department's website at:

<https://insurance.ohio.gov/agents-and-agencies/individual-agent/disqualifying-criminal-offenses-agent-license>

16. Saydeh's acts, conduct, or omissions as alleged in paragraphs seven through fifteen, above, violate R.C. 3905.14(B)(6) and 9.79(C)(2) and (D).
17. The Department intends to deny Saydeh's application for a resident insurance agent license in accordance with R.C. 3905.14(B)(6) and 9.79 based on the allegations described above.
18. If an order is issued denying Saydeh a license, the earliest date he may reapply for a license is five years from the date of this Notice of Opportunity for Hearing & Notice of Intent to Deny License ("Notice"). If Saydeh submits a new application on or after five years from the date of this Notice, evidence of rehabilitation may be considered.

Pursuant to R.C. Chapter 119, Saydeh is notified that he is entitled to a hearing in this matter. The Department must receive any request for a hearing within 30 days of Saydeh's receipt of this Notice. Any request for a hearing must also be in writing and directed to:

Hearing Administrator
Ohio Department of Insurance
50 West Town Street
3rd Floor, Suite 300
Columbus, Ohio 43215
Telephone: (614) 644-2640
Facsimile: (614) 644-3742

Email: ins.hearings@insurance.ohio.gov

At the hearing, Saydeh may appear in person, through his attorney, or through such other representative as is permitted to practice before the Department. Saydeh may also present his position, arguments, contentions, or evidence in writing or at the hearing as well as examine witnesses appearing for and against him.

If no hearing is requested, the matter will proceed to the Superintendent for a decision where she may impose any sanction allowed by law.

JUDITH L. FRENCH
Director



DATED: May 14, 2024

BY:

Timothy G. Schirmer
Staff Attorney - Office of Legal Services
The Ohio Department of Insurance

Reasonable Accommodation: The Ohio Department of Insurance is committed to providing access, inclusion and reasonable accommodation in its services, activities, programs, and employment opportunities in accordance with the Americans with Disabilities Act (ADA) and other applicable laws. To request a reasonable accommodation due to a disability, please contact the Ohio Department of Insurance Human Resources Office's ADA Coordinator Andrew Skal by email at Andrew.Skal@insurance.ohio.gov or by phone at 614-644-3264 or TTY 711 (then dialing) 614-644-3264.