

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

AUG 31 2012

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN)
DOAK, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
ERIC JOHN KEHS,)
)
Respondent.)

Case No. 12-0750-DIS

CONDITIONAL ADMINISTRATIVE ORDER
AND NOTICE OF RIGHT TO BE HEARD

COMES NOW the State of Oklahoma, ex rel. John Doak, Insurance Commissioner, by and through his attorney, Julie Meaders, and alleges and states as follows:

JURISDICTION

1. John Doak is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., including the Insurance Adjuster Licensing Act, 36 O.S. §§ 6201 et seq.

2. Eric John Kehs address of record with the Oklahoma Insurance Department is 505 Wilder Square, Plymouth Meeting, Pennsylvania 19462. Kehs' nonresident Oklahoma adjuster license 40022089 lapsed on October 31, 2011.

3. The Insurance Commissioner may censure, suspend, revoke or refuse to issue or renew an adjuster's license and or may levy a fine up to \$1,000.00 for each violation of the Oklahoma Insurance Code. 36 O. S. § 6219 and § 6220(A) and (B).

ALLEGATIONS OF FACT

1. The Consumer Assistance Division of the Oklahoma Insurance Department (the "Department") received a complaint from Reta Crenshaw on May 15, 2012. Ms. Crenshaw

complained that she had reported a claim on her building from storm damage on May 26, 2011. Repairs were completed on October 28, 2011 after not hearing back from the insurance company regarding her claim.

2. Eric Kehs, property claims examiner with Diamond State Insurance Company, responded to the Department's inquiry regarding Crenshaws's complaint on June 29, 2012. Kehs stated that Crenshaw reported the loss on July 26, 2011 and a local independent adjuster was assigned to the claim. Payment was issued on February 14, 2012 based on the independent adjuster's inspection and estimate.

3. Crenshaw's insurance agent contacted the insurer on May 14, 2012 because Crenshaw was not in agreement with the amount of the claim payment. Eric Kehs emailed the agent that he took over the Crenshaw claim file in February 2012. He contacted Crenshaw on May 15, 2012 and reviewed the entire matter in detail with her. Following a lengthy discussion, Kehs settled the claim with Crenshaw in the amount of \$3,452.32.

4. A review of the Department's licensing records reveals that Eric Kehs' nonresident Oklahoma adjuster license expired on October 31, 2011 for failure to renew. Kehs was acting as an insurance claim adjuster while negotiating Crenshaw's claim in 2012.

ALLEGED VIOLATIONS OF LAW

Kehs violated 36 O.S. § 6220 (A) (9) by acting or holding himself out as an adjuster in this state while unlicensed.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that Kehs violated 36 O.S. § 6220(A)(9) and therefore **Kehs is fined TWO HUNDRED AND FIFTY DOLLARS (\$250.00) payable within thirty (30) days of the date of mailing.**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the date of mailing this Order. A request for hearing should be in writing addressed to Julie Meaders, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma 73112. The request for hearing must state the grounds for the request to set aside or modify the Order.

Any such hearing shall be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. § 250-323. If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as notice of the matters to be reviewed at the hearing, and the Allegations of Fact, Alleged Violations of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 31st day of August, 2012.



JOHN DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Julie Meaders

Julie Meaders
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112
Telephone: (405) 521-2746
Facsimile: (405) 522-0125

CERTIFICATE OF MAILING

I, Julie Meaders, hereby certify that a true and correct copy of the above and foregoing Conditional Administrative Order and Notice of Right to be Heard was mailed by certified mail with postage prepaid and return receipt requested on this 31st day of August 2012, to:

Eric Kehs
505 Wilder Square
Plymouth Meeting, PA 19130

CERTIFIED MAIL NO. 7001 0320 0003 9967 8292

and a copy was delivered to:

Licensing Division



Julie Meaders

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