

**BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA**

**FILED**

FEB 17 2016

INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN )  
D. DOAK, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
LISA LOVEN, )  
 )  
Respondent. )

Case No. 15-0837-DEN

**ORDER DENYING LICENSURE**

This matter is a denial proceeding under the Oklahoma Insurance Adjusters Licensing Act, 36 O.S. §§ 6201 et seq. The Oklahoma Insurance Department notified Respondent on October 27, 2015, that her application for an individual public adjuster license was denied for violation of the Insurance Adjusters Licensing Act pursuant to 36 O.S. § 6220(A)(8). Respondent requested a formal administrative hearing before an independent hearing examiner concerning the matter on October 30, 2015.

A hearing was held before the undersigned Hearing Examiner on January 20, 2016, and was then continued until February 4, 2016. Petitioner appeared by counsel Julie Meaders. Respondent appeared with counsel Timothy Hummel and Kimberly Thomas. Witnesses were sworn and testified, exhibits were admitted and argument of counsel heard.

**FINDINGS OF FACT**

1. Respondent submitted an online Uniform Application to the Oklahoma Insurance Department on July 21, 2015, for a resident public adjuster license. She disclosed that she was currently a party to a lawsuit involving allegations of fraud, misappropriation or conversion of funds, misrepresentation or breach of fiduciary duty and submitted the required lawsuit

documents with her application.

2. The Licensing Division referred the application to the Legal Division for review. The Legal Division requested that the Anti-Fraud Division investigate the applicant based on the disclosures in her application. Around the same time, the other party in the lawsuit filed a complaint against Respondent with the Consumer Assistance Division at the Oklahoma Insurance Department alleging Respondent had acted as a public adjuster without licensure regarding the insurance claim in litigation. During the investigation, another consumer complaint was discovered where the Respondent and her client had made a complaint against the client's insurance company. That matter was also investigated by the Anti-Fraud Division.

3. Respondent's application was denied based on the Anti-Fraud investigator's conclusion that Respondent had acted as an unlicensed public adjuster in the matter complained to the Oklahoma Insurance Department. Respondent requested a hearing about the denial of her application on October 30, 2015. A hearing was set for December 20, 2015. Respondent's attorney thereafter requested a continuance and the matter was set for January 20, 2016.

4. The hearing was transcribed by a court reporter and electronically recorded by an employee of the Oklahoma Insurance Department on January 20, 2016. The hearing was continued until February 4, 2016 and was recorded electronically by an employee of the Oklahoma Insurance Department on that date.

5. The following exhibits were introduced and admitted:

- Petitioner's Exhibit A: B&I Steel Erectors Proposal – 10/2/13;
- Petitioner's Exhibit B: B&I Steel Erectors Invoice for Claim #1179405 – 11/20/13;
- Petitioner's Exhibit C: Loven invoice for Claim #1179405 – 11/25/13;

- Petitioner’s Exhibit D: 10/17/13 (3:05 PM) E-mails from Hanes to Waukau;
- Petitioner’s Exhibit E: 10/17/13 (4:34 PM) E-mails from Hanes to Waukau;
- Petitioner’s Exhibit F: 10/21/13 E-mail from Hanes to Waukau;
- Petitioner’s Exhibit G: Photograph of manlift;
- Petitioner’s Exhibit H: OID Letter to Church Mutual – 7/1/13;
- Petitioner’s Exhibit I: Church Mutual’s Response to Complaint Letter to  
OID – 7/12/13;
- Petitioner’s Exhibit J: Letter from OID to Dan Maxwell – 7/30/13;
- Petitioner’s Exhibit K: 7/30/13 E-mail from Simon to Morris;
- Petitioner’s Exhibit L: 2/26/14 Status Update E-mail from Simon to Morris;
- Petitioner’s Exhibit M: Lisa Loven Public Adjuster Application;
- Petitioner’s Exhibit N: Lisa Loven Consulting Contract with Chisolm  
Creek;
- Petitioner’s Exhibit O: OID Bulletin, PC 2013-05;
- Petitioner’s Exhibit P: OID Bulletin, PC 2013-07;
- Petitioner’s Exhibit R: Hertz Equipment Rental Invoice – 11/01/13;
- Petitioner’s Exhibit S: Church Mutual Claim #1179405 Log;
- Petitioner’s Exhibit T: Authentic B&I Steel Erectors Invoice;
- Petitioner’s Exhibit U: 2/24/14 E-mail from Loven to Bethea with  
attachment;
- Petitioner’s Exhibit V: 3/14/14 E-mail from Berry to Loven;
- Petitioner’s Exhibit 1: Checks to Chisholm Creek from Church Mutual;
- Petitioner’s Exhibit 2: Checks to Edmond Roofing from Chisholm Creek;

- Petitioner’s Exhibit 3: Check to Loven from Chisholm Creek;
- Respondent’s Exhibit 1: Church Mutual Claim #1179405 Log;
- Respondent’s Exhibit 2: Check to Chisholm Creek from Church Mutual (\$1,576.72);
- Respondent’s Exhibit 3: 9/17/13 E-mail from Waukau to Loven;
- Respondent’s Exhibit 4: 9/18/13 E-mail from Berry to Waukau;
- Respondent’s Exhibit 5: 7/1/13 E-mail from Loven to Morris with attachment;
- Respondent’s Exhibit 6: OID “After the Disaster brochure”;
- Respondent’s Exhibit 7: Hertz Equipment Rental Invoices – 11/01/13 & 11/04/13;
- Respondent’s Exhibit 8: Check to Loven from Chisholm Creek (\$1,959.17);
- Respondent’s Exhibit 9: Check to Loven from Chisholm Creek (\$36,141.89);
- Respondent’s Exhibit 10: 6/27/13 E-mail from Berry to Loven;
- Respondent’s Exhibit 11: 1/10/14 E-mail from Berry to Loven;
- Respondent’s Exhibit 12: 2/28/14 E-mail from Loven to Berry;
- Respondent’s Exhibit 13: 3/11/14 E-mail from Berry to Loven;
- Respondent’s Exhibit 14: Schwartz Agreement Contract;
- Respondent’s Exhibit 15: Schwartz Engagement Letter;
- Respondent’s Exhibit 16: Sworn Statement in Proof of Loss;
- Respondent’s Exhibit 17: Lewis & Associates Agreement;
- Respondent’s Exhibit 18: Lewis & Associates Engagement Letter;

- Respondent's Exhibit 19: Allstate "Your Claim" brochure;
  - Respondent's Exhibit 20: State Farm Structural Damage Claim Policy.
6. The Hearing Examiner heard testimony and entered the following findings of fact:
- a. Evidence was admitted and testimony was presented to the Hearing Examiner that an applicant's adjuster application can be denied for engaging in a fraudulent transaction with respect to an insurance claim;
  - b. Evidence was admitted and testimony was presented to the Hearing Examiner that Respondent submitted a bogus B & I Erectors invoice for \$14,923.00, along with submission of her own Lisa Loven Consulting invoice that included the B & I Erectors charge of \$14,923.00 plus Loven's overhead and profit of \$2,984.59 for the bogus B & I Erectors claim to Church Mutual Insurance Company.
  - c. Evidence was admitted and testimony was presented to the Hearing Examiner that an applicant can be denied a license for violating any provision of the Insurance Adjusters licensing Act;
  - d. Evidence was admitted and testimony was presented to the Hearing Examiner that Respondent violated the Insurance Adjusters Licensing Act by engaging in unlicensed public adjusting and thereby received inflated compensation to her construction business by that insurance negotiation.

#### **CONCLUSIONS OF LAW**

1. The Commissioner may refuse to issue an initial license for any cause set out in 36 O.S. § 6220 of the Insurance Adjusters Licensing Act. 36 O.S. § 6219.
2. Respondent violated 36 O.S. § 6220.4 by submitting a bogus invoice in the amount of \$14,923.00 and adding \$2,984.59 for her overhead and profit on the bogus charge and

then including those amounts on her own invoice she submitted on an insurance claim to an insurance company.

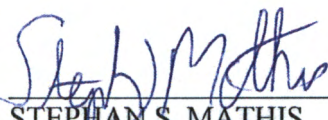
3. Respondent violated 36 O.S. § 6220.8 by negotiating her client's claim settlement while unlicensed as an adjuster, a violation of 36 O.S. § 6216(A), and received inflated compensation through ownership of a construction business due to the claim she negotiated, a violation of 36 O.S. 6220.1.

**ORDER**

**BASED UPON THE FOREGOING, IT IS HEREBY ORDERED THAT THE DENIAL OF THE APPLICATION OF RESPONDENT BY THE OKLAHOMA INSURANCE DEPARTMENT IS UPHELD. PURSUANT TO 36 O. S. § 319, RESPONDENT IS ORDERED TO PAY THE FEES AND COSTS OF THE HEARING EXAMINER IN THE AMOUNT OF \$1,000.00 WITHIN THIRTY (30) DAYS OF THE DATE OF THIS ORDER.**

Done this 16 day of February, 2016.



  
STEPHAN S. MATHIS  
Hearing Examiner  
Oklahoma Insurance Department  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, OK 73112-4511

**CERTIFICATE OF SERVICE**

I, Julie Meaders, certify that on the 17<sup>th</sup> day of February, 2016 a copy of this Final Order was mailed to:

Timothy Hummel  
500 West Main Street  
Suite 102  
Oklahoma City, OK 73102  
[tim@hummellawoffice.com](mailto:tim@hummellawoffice.com)

**A copy was delivered to:**

Licensing Division  
and  
Anti-Fraud Division

  
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Julie Meaders