

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED  
JUL 27 2022  
INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN  
MULREADY, Insurance Commissioner,

Petitioner,

v.

THIRD COAST INSURANCE COMPANY,  
a surplus lines insurance company,

Respondent.

Case No. 22-0406-DIS

**CONDITIONAL ADMINISTRATIVE ORDER**  
**AND NOTICE OF RIGHT TO BE HEARD**

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner,  
by and through counsel, Antuanya “Bo” DeBose, and alleges and states as follows:

**JURISDICTION**

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and, as such, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101-7401, including the Unfair Claims Settlement Practices Act, 36 O.S. §1250.1 *et seq.*
2. Respondent Third Coast Insurance Company (“Respondent”), is a foreign insurance company, holding NAIC Cocode 10713, authorized to write surplus lines insurance in the State of Oklahoma. Respondent’s address of record is PO Box 40790, Lansing, Michigan 48901.
3. If Respondent requests a hearing in writing pursuant to OAC 365:1-7-1, the Insurance Commissioner, pursuant to 36 O.S. § 319, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

## **FINDINGS OF FACT**

1. On or about April 15, 2022, the Consumer Assistance Division of the Oklahoma Insurance Department (“OID”) emailed, mailed and faxed a letter to Respondent and requested a response within twenty (20) days of receipt. The OID file number for this matter is #92883. The letter was emailed to [regulatory.services@accidentfund.com](mailto:regulatory.services@accidentfund.com) and [bob.lapinski@accidentfund.com](mailto:bob.lapinski@accidentfund.com). The letter was also faxed to (517) 346-7681 and mailed to 200 N. Grand Ave, Lansing, Michigan 48933, Respondent’s recorded address in the State Based System (“SBS”). OID received a response to this request May 9, 2022 on behalf the Respondent.
2. On or about May 16, 2022, another letter was emailed, mailed and faxed to the Respondent and a response was requested within twenty (20) days of receipt. The letter was emailed to [regulatory.services@accidentfund.com](mailto:regulatory.services@accidentfund.com) and [bob.lapinski@accidentfund.com](mailto:bob.lapinski@accidentfund.com). The letter was also faxed to (517) 346-7681 and mailed to 200 N. Grand Ave, Lansing, Michigan 48933, Respondent’s recorded address in SBS.
3. The twentieth (20<sup>th</sup>) day after the date of this letter was June 6, 2022. Respondent failed to provide a response to the aforementioned letter on or before June 6, 2022.
4. OID followed up and emailed, faxed and mailed the same letter to Respondent dated June 24, 2022. OID also requested a response to this letter within twenty (20) days of receipt. This letter was emailed to [regulatory.services@accidentfund.com](mailto:regulatory.services@accidentfund.com) and [bob.lapinski@accidentfund.com](mailto:bob.lapinski@accidentfund.com). The letter was also faxed to (517) 346-7681 and mailed to 200 N. Grand Ave, Lansing, Michigan 48933, Respondent’s recorded address in SBS.
5. The twentieth (20<sup>th</sup>) day after the date of this letter was July 14, 2022. Respondent failed to provide a response to the aforementioned letter on or before July 14, 2022.
6. A copy of the aforementioned letters are attached as “*Petitioner’s Exhibit A*” and

*“Petitioner’s Exhibit B.”*

7. As of the date of this Order, Respondent has failed to provide a response to the two (2) aforementioned letters from OID.

8. Pursuant to 36 O.S. §1250.4(B), *“Any person subject to the jurisdiction of the Commissioner, upon receipt of any inquiry from the Commissioner shall, within twenty (20) calendar days from the date of receipt of the inquiry, furnish the Commissioner with an adequate response to the inquiry. The Commissioner may, upon good cause shown and on a case-by-case basis, extend the time allowed for a response for up to seven (7) additional calendar days. Any inquiry or response subject to this subsection shall be delivered electronically.”*

9. Pursuant to 36 O.S. §1250.14, the Insurance Commissioner may, after notice and hearing, subject an insurer to a civil penalty of not less than one hundred dollars (\$100.00) nor more than Five Thousand Dollars (\$5,000.00) for each violation of the Unfair Claims Settlement Practices Act.

### **CONCLUSIONS OF LAW**

1. Respondent has violated 36 O.S. §1250.4(B) by failing to furnish an adequate response to two (2) inquiry letters from the Commissioner within twenty (20) calendar days from the date of the inquiry.

### **ORDER**

**IT IS THEREFORE ORDERED** that Respondent shall provide a response to the Oklahoma Insurance Department letters referenced above and is fined in the amount of **Two Hundred dollars (\$200.00)**. The response and fine shall be submitted to the Oklahoma Insurance Department within thirty (30) days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. The fine shall be sent to the Oklahoma Insurance



Department located at 400 NE 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105. Failure to comply with a proper order of the Commissioner will result in further administrative action.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent requests a hearing with respect to the Findings of Fact set forth above within 30 days of the date of this Conditional Order, the penalties set forth above will become a Final Order on the 31st day following the date of mailing this Order. A request for hearing should be in writing and addressed to Antuanya "Bo" DeBose, Oklahoma Insurance Department, Legal Division, 400 NE 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or modify the Order and must be served on the Oklahoma Insurance Department within the 30 days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, *36 O.S. §§ 101 et seq.*, and the *Oklahoma Administrative Procedures Act*, *75 O.S. §§ 250 through 324*. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as a notice of the matters to be reviewed at the hearing and the Findings of Fact, Conclusions 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 27<sup>th</sup> day of July 2022.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

Antuanya "Bo" DeBose  
Antuanya "Bo" DeBose  
Assistant General Counsel  
Oklahoma Insurance Department  
400 NE 50<sup>th</sup> Street  
Oklahoma City, Oklahoma, 73105  
Tel. (405) 522-4805  
Fax (405) 522-0125

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the above and foregoing *Conditional Order* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 27<sup>th</sup> day of July, 2022, to:

Third Coast Insurance Company  
PO Box 40790  
Lansing, MI 48901  
regulatory\_services@afhi.com

CERTIFIED MAIL NO:  
9214 8902 0982 7500 0481 78

and a copy was delivered to:

Consumer Assistance Division



Antuanya "Bo" DeBose  
Assistant General Counsel



22-0406 Dis  
ASD

Date Produced: 08/08/2022

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0481 78. Our records indicate that this item was delivered on 08/01/2022 at 11:43 a.m. in LANSING, MI 48924. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

THIRD COAST INSURANCE COMPANY  
PO BOX 40790  
LANSING MI 48901-7990

Customer Reference Number: C3583021.21160793



**OKLAHOMA  
INSURANCE  
DEPARTMENT**

Insurance Commissioner, Glen Mulready

400 NE 50<sup>th</sup> Street  
Oklahoma City, OK 73105

T 405 521 2623  
E oidok.gov

May 16, 2022

BOB LAPINSKI  
THIRD COAST INSURANCE COMPANY  
200 N GRAND AVE  
LANSING, MI 48933

RE: EARNEST BELL, POLICY NUMBER PROP-STR7-032983-20  
OID FILE NUMBER: 92883

Dear Mr. Lapinski:

We are enclosing a copy of additional information pertaining to the captioned matter, which has been forwarded to this office.

You are requested to review the enclosed material along with your file and advise us of your position in this matter. Please provide your response to us within twenty (20) calendar days from the date of receipt of this letter.

Regards,

Tracee Watley  
Property & Casualty Analyst  
Consumer Assistance/Claims Division  
tracee.watley@oid.ok.gov  
(405)521-2991 Fax:(405)521-6652





## Tracee Watley

---

**From:** Tracee Watley  
**Sent:** Monday, May 16, 2022 4:48 PM  
**To:** regulatory.services@accidentfund.com; bob.lapinski@accidentfund.com  
**Subject:** OID FILE 92883  
**Attachments:** 92883 105.pdf

Greetings, please see attached.

Regards,

### Tracee Watley, MSM

Property and Casualty Analyst



Consumer Assistance/Claims Division

400 NE 50<sup>th</sup> Street

Oklahoma City, Oklahoma 73105

405.521.2991 office

[Tracee.Watley@oid.ok.gov](mailto:Tracee.Watley@oid.ok.gov)

[oid.ok.gov](http://oid.ok.gov)

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**OKLAHOMA  
INSURANCE  
DEPARTMENT**

Insurance Commissioner, Glen Mulready

400 NE 50<sup>th</sup> Street L 405 521-2923  
Oklahoma City, OK 73105 • oid.ok.gov

June 24, 2022

BOB LAPINSKI  
THIRD COAST INSURANCE COMPANY  
200 N GRAND AVE  
LANSING, MI 48933

RE: EARNEST BELL, POLICY NUMBER PROP-STR7-032983-20  
OID FILE NUMBER: 92883

Dear Mr. Lapinski:

This letter is in reference to our recent inquiry regarding the captioned matter, a copy of which is attached for your easy reference.

Our files indicate that we have not received a reply to our inquiry. Please be advised that failure to furnish the Insurance Department with an adequate response to any inquiry within twenty (20) calendar days of receipt of the inquiry constitutes violation of 36 O.S. Section 1250.4.

Please give this matter your immediate attention and forward your reply so this office can evaluate your position and reply to the complainant.

Regards,

Tracee Watley  
Consumer Assistance/Claims Division  
tracee.watley@oid.ok.gov  
(405) 521-2991 Fax: (405) 521-6652

Enclosure



## Tracee Watley

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**From:** Tracee Watley  
**Sent:** Friday, June 24, 2022 3:27 PM  
**To:** regulatory.services@accidentfund.com; bob.lapinski@accidentfund.com;  
regulatory.services@accidentfund.com  
**Subject:** OID FILE 92883  
**Attachments:** 92883 80.pdf

Greetings,

Please see attached.

Regards,

**Tracee Watley, MSM**  
Property and Casualty Analyst III



Consumer Assistance  
400 NE 50<sup>th</sup> Street  
Oklahoma City, Oklahoma 73105  
405.521.2991 office  
[Tracee.Watley@oid.ok.gov](mailto:Tracee.Watley@oid.ok.gov)  
[oid.ok.gov](http://oid.ok.gov)

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