

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

FILED
SEP 25 2013
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.
DOAK, Insurance Commissioner,

Petitioner,

vs.

YORK RISK SERVICES GROUP, INC., a
licensed adjuster business entity in the State of
Oklahoma,

Respondent.

CASE NO. 13-0949-DIS

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

COMES NOW the State of Oklahoma, ex rel., John D. Doak, Insurance Commissioner,
by and through counsel and alleges and states as follows:

JURISDICTION

1. John D. Doak 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. §§ 101-7004.

2. Respondent York Risk Services Group, Inc. ("Respondent") is a licensed insurance adjuster business entity in the State of Oklahoma holding license number 0010005384.

FINDINGS OF FACT

1. On or about May 7, 2013, an inquiry letter written by Oklahoma Insurance Department ("OID") Consumer Assistance Division employee April Morris regarding a claim which arose under an insurance contract involving complainant Janet Grigg was forwarded by the OID to Respondent. The OID file number for this matter is #39455.

2. The May 7, 2013 inquiry letter was sent to Respondent's address filed with OID

and contained within the National Association of Insurance Commissioners (“NAIC”) State Based Systems (“SBS”) Database. The SBS-provided mailing address on record for Respondent is listed as 99 Cherry Hill Rd., Suite 102, Parsippany, New Jersey 07054-1102.

3. The thirtieth (30th) day after the date of the inquiry was June 6, 2013.

4. On or about July 30, 2013, Respondent (specifically Mr. Robert M. Sargent) sent a response letter to April Morris at OID, which acknowledged receipt of the May 7, 2013 letter and also apologized for the delay in providing a response. This July 30, 2013 letter was clearly beyond the thirty (30) day time limit given to respond, as imposed by 36 O.S. § 1250.4(B).

5. A copy of the inquiry letter that was not timely responded to by Respondent is attached as “Exhibit A.”

5. A copy of the Respondent’s reply letter, which acknowledged the untimely response, is attached as “Exhibit B.”

CONCLUSION

The allegations are found to be true and correct and Respondent has violated 36 O.S. § 1250.4(B) by failing to furnish an adequate response to an inquiry from the Commissioner within thirty (30) days from the date of the inquiry.

ORDER

IT IS THEREFORE ORDERED that Respondent shall provide a response to the inquiry referenced above and is fined in the amount of Five Hundred Dollars (\$500.00).

The response and fine are to be submitted to the Oklahoma Insurance Department within thirty (30) days of the date of this Order. The \$500.00 civil fine shall be paid by money order or cashiers check.

Respondent is further notified that it may request a hearing within 30 days of the receipt

of this Order concerning this action and upon such request the Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Barron B. Brown, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112 and state the basis for requesting the hearing.

If Respondent does not request a hearing within the 30 days allotted this Order shall be a **FINAL ORDER** on the 31st day following the receipt of the Order.

WITNESS My Hand and Official Seal this 25th day of September, 2013.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Barron B. Brown

Barron B. Brown
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
(405) 521-2749

CERTIFICATE OF MAILING

I, Barron B. Brown, 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 25th day of September, 2013, to:

York Risk Services Group, Inc.
99 Cherry Hill Rd., Suite 102
Parsippany, NJ 07054-1102

CERTIFIED MAIL NO. **7001 0320 0004 4249 7276**

and a copy was delivered to:

April Morris
Consumer Assistance Division

A handwritten signature in cursive script that reads "Barron B. Brown". The signature is written in dark ink and is positioned above a horizontal line.

Barron B. Brown
Assistant General Counsel



May 7, 2013

YORK RISK SERVICES GROUP, INC.
99 CHERRY HILL RD STE 102
PARSIPPANY NJ 07054-1102

RE: Janet Grigg
OID FILE NUMBER:39455

Ladies and Gentlemen:

Enclosed you will find a copy of a Request for Assistance we have received from the above inquirer. Please review this correspondence and advise this office of your position. We ask that you use our file number on all correspondence concerning this inquiry.

Section 1250.4 (B) of the Oklahoma Insurance Code requires that your company provide this Department with an adequate written explanation regarding your position taken in this matter. Your response must be received by this office no later than thirty (30) days from the date of this letter.

Your response must include the full name of the insuring company and the corresponding NAIC company code. This will ensure that we associate the record of the complaint with the appropriate entity.

We also request that you provide a copy of the policy in question, and further request that you provide a specific contact person who will be handling this matter, their direct telephone number and e-mail address.

Thank you in advance for your assistance and your timely response. This department looks forward to working with you in resolving the insurance problems of this consumer.

Sincerely,

April Morris CISR
Property and Casualty Analyst
Consumer Assistance/Claims Division
April.Morris@oid.ok.gov
(405)521-2991 Phone (405) 521-6652 Fax

Enclosure



PO Box 183188
Columbus OH 43218

Tel: 412-505-2165
Fax: 412 809 3024

www.yorkrsg.com

July 30, 2013

Oklahoma Insurance Department
5 Corporate Plaza
3625 NW 56th Street Suite 100
Oklahoma City OK 73112
Attn: Ms. April Morris

Oklahoma Insurance Department
RECEIVED
AUG 15 2013
Consumer Assistance Division

RE: Insured: Justice Alma Wilson Seeworth Academy
Date of Loss: 5-29-12
York File LXHE-0753A9
OID File Number: 39455

Dear Ms. Morris,

This letter will acknowledge receipt of the Request for Assistance that you forwarded to our Parsippany, New Jersey office dated May 7, 2013. This document was then forwarded to the field adjuster, Phil Richards, and I do apologize for the delay in providing this response. Please note that I am the administrative adjuster assigned to the claim.

I reviewed this matter with Mr. Richards and he advised that there was a delay securing information from the retail agent used in identifying the buildings as described in the policy declaration with the descriptions used by the insured as well as the building consultant, JS Held.

Please note that in the interim, an agreed price has been reached with the insured and Mr. Richards has provided the insured with a Proof of Loss. At present the claim remains open pending the return of the proof of loss by the insured.

In your letter, you requested specific information. Please refer to the following;

Insuring company: Lexington Insurance Company
NAIC number: Unknown
Copy of policy: Attached
Contact person:

Robert M Sargent, AIC
Telephone 412 505 2165
E mail Robert.sargent@yorkrsg.com

Should you have any questions or concerns regarding this correspondence, please feel free to contact the undersigned.

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Justice Alma Wilson Seeworth Academy
LXHE-0753A9
July 30, 2013

Thank you for your cooperation in this matter

Sincerely,

Robert M. Sargent AIC
Analyst
York Risk Services Group, Inc.