

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

FILED

OCT 28 2015

INSURANCE COMMISSIONER
OKLAHOMA

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

Petitioner,

v.

NATHAN SCOTT CAGLE, a licensed
public adjuster,

Respondent.

Case No. 15-0775-DIS

AMENDED FINAL ADMINISTRATIVE ORDER

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

JURISDICTION

1. John D. 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.*

2. Nathan Scott Cagle is licensed as a public adjuster in Oklahoma holding license number 0100200349. His address of record is [REDACTED]

3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Oklahoma Adjuster Licensing Act and/or may levy a fine up to \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code, 36 O.S. § 6220 (A) and (B).

FINDINGS OF FACT

1. On or about March 2, 2015, the Anti-Fraud Division of the OID received a complaint from State Farm Insurance Agent Brent Jenson, License #91324, concerning Respondent. The complaint stated that Respondent was allowing an owner of a construction company, Josh Page, to act as a Public Adjuster. Page is not licensed with OID.

2. According to Jenson, beginning in 2014, Jenson began receiving phone calls from various clients regarding a roofer that had been doing repairs to their homes. The homeowners received a document stating "Letter of Representation", which would allow a Public Adjuster to file a claim on the homeowner's behalf. The homeowner's were told that they did not need to contact their insurance agent Jenson, because aforementioned Public Adjuster would handle all the details. The roofer is Josh Page. The public adjuster is Nathan Cagle, and Cagle was not always present during the interaction.

3. Linda Dockray, during November of 2014, hired Page's grandfather's company to make some air conditioning repairs. Dockray was notified about a damaged board during the repairs and also hail damage on the roof. Later the same day, Page returned to the home and gave Dockray a "Letter of Representation" and stated that Dockray needed to file a claim. Upon filing the claim, Dockray received a check from State Farm with her and Cagle's name.

4. On Friday, April 10, 2015, Nicole Godfrey (Godfrey) had an appointment scheduled with All Pro Roofing. Cagle arrived at the appointment wearing an All Pro Roofing and Remodeling Shirt, and showed his licensee card reflecting his license number of 100200349. Cagle stated he was assessing damage in the area from a recent storm. A simple repair was discovered and Godfrey was asked by Cagle if it was caused by the storm. She responded "no".

Cagle then stated that Godfrey could confide in him, and when her insurance adjuster arrived she should tell him the damage occurred during the storm.

CONCLUSIONS OF LAW

1. Respondent violated 36 O.S. § 6220(A) (4); material misrepresentation of the terms and effect of any insurance contract, with intent to deceive, or engaging in, or attempting to engage in, any fraudulent transaction with respect to a claim or loss that the licensee or the trainee is adjusting and, in the case of a public adjuster, misrepresentation of the services offered or the fees or commission to be charged.

2. Respondent violated 36 O.S. § 6220(A) (6); if, in the conduct of business affairs, the licensee or trainee has shown himself to be, and is so deemed by the Commissioner, incompetent, untrustworthy or a source of injury to the public.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that the **Emergency Order of Suspension Instante**r entered in this matter on July 29, 2015, is a **FINAL ADMINISTRATIVE ORDER**, that no hearing was requested, and Respondent's license is hereby **REVOKED**.

IT IS FURTHER ORDERED, pursuant to 36 O.S. § 6220 (B), Respondent is fined One Thousand and No/100 Dollars (\$1,000.00). Respondent may reapply for licensure one year from date of this Order upon payment of said fine.

WITNESS My Hand and Official Seal this 28th day of October, 2015.



A handwritten signature in black ink, reading "James A. Mills".

JAMES MILLS
CHIEF OF STAFF

CERTIFICATE OF MAILING

I, Julie A. Meaders, hereby certify that a true and correct copy of the above and foregoing Amended Final Administrative Order was mailed by certified mail with postage prepaid and return receipt requested, mailed regular mail and emailed on this 28th day of October, 2015 to:

Nathan Scott Cagle



CERTIFIED MAIL NO. 7015 0640 0004 4933 6107

and a copy was mailed to all appointing insurers/RIRS

and a copy was delivered to:

Courtney Phipps
Licensing Division

Rick Wagnon
Anti-Fraud Division

A handwritten signature in blue ink that reads "Julie Meaders".

JULIE A. MEADERS
DEPUTY GENERAL COUNSEL