

GARY D. JOSEPHSON #5299
Assistant Attorney General
SEAN D. REYES #7969
Attorney General
Attorneys for Utah Insurance Department
PO Box 140874
Salt Lake City, UT 84114
Telephone: 801-366-0375
Email: gjosephson@utah.gov

**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

<p>UTAH INSURANCE DEPARTMENT, Complainant, v. LIBERTY MUTUAL GENERAL INSURANCE COMPANY 175 Berkley Street, 7F Boston, MA 02116 NAIC #36447 Respondent.</p>	<p>STIPULATION AND ORDER</p> <p>Docket No. 2016-072-PC Ent. Case No. 3786 Gregory Soderberg, Esq. Administrative Law Judge</p>
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STIPULATION

The Utah Insurance Department (“Department”), by and through its legal counsel, and Liberty Mutual General Insurance Company (“Respondent”), by and through its legal counsel, hereby stipulate and agree as follows:

1. Respondent is a Non-Resident Producer whose business address is 175 Berkley Street, 7F, Boston, MA 02116. Respondent’s NAIC number is 36447. Also, Respondent is an insurer domiciled in the State of Illinois.
2. The Department has jurisdiction over the parties and subject matter of this administrative action.

3. Respondent acknowledges notice of agency action pursuant to Utah Code § 63G-4-201; acknowledges that this Stipulation and Order is an informal proceeding pursuant to Utah Code Section 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

5. This signed Stipulation, along with any findings of fact and conclusions of law, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

6. The Findings of Fact and Conclusions of Law presented below are accepted by the parties.

7. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

8. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

9. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

10. The persons signing this Stipulation on behalf of the named parties hereby affirm that they are authorized to sign and bind the parties.


Dated this 23rd day of June, 2016.



Patrick Devlin, Attorney-at-law
LIBERTY MUTUAL GENERAL INSURANCE
COMPANY

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Dated this 27th day of June, 2016.



Gary D. Josephson,
Assistant Attorney General
UTAH DEPARTMENT OF INSURANCE

Based upon the foregoing Stipulation and Department file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. Respondent is a property and casualty insurer authorized to conduct business within the State of Utah under Company Number 1244.
2. Based on complaints received, the Department conducted an investigation concerning Respondents handling of two claims.
3. Based on the Department's investigation, it was found that, concerning Claim Number LA000-033398936-03, with Date-of-Loss 03/04/2016, Respondent did not timely and regularly communicate with Claimant concerning the disposition of the claim.
4. the Department's investigation also found that, concerning Claim Number 033224324, with Date-of-Loss 1/26/2016, Respondent failed to notify the Claimant, after 45 days passed, that the investigation was ongoing.
5. In both claims, Respondent admits that its representatives did not timely and regularly communicate with Claimants concerning their claims.
6. Respondent has agreed to the recommended forfeiture of \$5,000.00.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. Under Utah Admin. Code R. 590-190-6, within 15 days upon receiving notification of a claim, Respondent is required to acknowledge the receipt of such notice and provide a substantive response to a claimant whenever a response has been requested. Respondent violated this rule by not timely contacting and responding to the claimant.

2. Under Utah Admin. Code R590-190-10 (2), within 30-days after receipt of a properly executed proof of loss, Respondent is required to complete its claim investigation and advise Claimant of the acceptance or denial of the claim, unless the investigation cannot be reasonably completed within that time. If Respondent needs more time to investigate the claim, Respondent is required to notify Claimant within 30-days after receipt of the proofs of loss, giving the reasons more time is needed. If the investigation remains incomplete, Respondent is required, within 45-days after sending the initial notification and within every 45-days thereafter, to send to Claimant a letter setting forth the reasons additional time is needed. Respondent violated this statute when it failed to send a timely notification after 45 days passed that the investigation was still ongoing.

3. In both cases, Respondent admits that it violated the above authorities when it failed to timely communicate with both Claimants..

4. Imposition of the forfeiture in the amount of \$5,000.00 is appropriate in this matter and under the circumstances.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

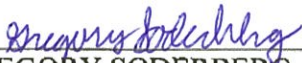
ORDER

IT IS HEREBY ORDERED:

1. Respondent Liberty Mutual General Insurance Company is hereby assessed an administrative forfeiture in the amount of \$5,000.00 to be paid to the Department within 30 days of the date of this Order being signed.

DATED this 27th day of June, 2016.

TODD E. KISER
Insurance Commissioner



GREGORY SODERBERG, ESQ.
Administrative Law Judge
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone (801) 538-3800

NOTIFICATION TO RESPONDENT

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.