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BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

UTAH INSURANCE DEPARTMENT,

Complainant,

vs.

LIBERTY MUTUAL GENERAL
INSURANCE COMPANY,

Respondent.

STIPULATION FOR ENTRY OF
FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

Docket No. 2016-128 PC
Enforcement No. 3841

Bret F. Randall
Presiding Officer

Complainant Utah Insurance Department and Respondent Liberty Mutual General Insurance Company, through counsel, stipulate that the Utah Insurance Commissioner may enter Findings of Fact, Conclusions of Law, and Order in the form attached.

DATED: December 9, 2016.

DATED: December 9, 2016

/s/ Patrick Devlin
PATRICK DEVLIN
Attorney for Respondent

/s/ Reed Stringham
REED STRINGHAM
Attorney for Complainant

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BEFORE THE INSURANCE COMMISSIONER
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UTAH INSURANCE DEPARTMENT, Complainant, vs. LIBERTY MUTUAL GENERAL INSURANCE COMPANY, Respondent.	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER Docket No. 2016-128 PC Enforcement No. 3841 Bret F. Randall Presiding Officer
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Complainant Utah Insurance Department and Respondent Liberty Mutual General Insurance Company have stipulated to entry of the following Findings of Fact, Conclusions of Law, and Order. Based on that stipulation, and good cause appearing, the Presiding Officer makes and enters the following:

FINDINGS OF FACT

1. Respondent is an insurer domiciled in Illinois and authorized to do business in Utah.

2. Respondent received two third-party claims against auto liability policies that it had issued in Utah, Claim ## 392889126002 and 033734093.

Claim # 392889126002

3. On April 6, 2016, Respondent received proper notice of a valid third-party claim, Claim # 392889126002, against an automobile policy that it had issued in Utah.

4. Respondent paid the claim more than 30 days later on June 9, 2016.

Claim # 033734093

5. On May 11, 2016, Respondent received proper notice of a valid third-party claim, Claim # 033734093, against an automobile policy that it had issued in Utah.

6. Respondent subsequently received requests for information about the claim from its insured, the third-party claimant and the third-party claimant's insurer.

7. Respondent did not respond to the requests within 15 days.

8. Respondent paid the claim on July 11, 2016, more than 30 days after its receipt.

CONCLUSIONS OF LAW

9. The Utah Insurance Commissioner has jurisdiction over Respondent and over this matter.

10. The stipulated facts in paragraphs 1-8 above establish that Respondent has committed three violations of Utah insurance law.

Violation Nos. 1 and 2

11. Under Utah law, "an insurer shall promptly pay every valid insurance claim. A claim shall be overdue if not paid within 30 days after the insurer is furnished written

proof of the fact of a covered loss and of the amount of the loss.” Utah Admin. Code R590-190-10(3).

12. Respondent violated Utah Admin. Code R590-190-10(3) twice, once by failing to pay Claim # 392889126002 within 30 days and once by failing to pay Claim # 033734093 within 30 days.

Violation No.3

13. Under Utah law, “within 15-days every insurer shall . . . provide a substantive response to a claimant whenever a response has been requested[.]” Utah Admin. Code R590-190-6(2).

14. Respondent violated Utah Admin. Code R590-190-6(2) by failing to respond within 15 days to requests from its insured, the third-party claimant and the third-party claimant’s insurer for information about Claim # 033734093.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is ordered:

1. Respondent shall pay a penalty of \$10,000 for the three violations of Utah insurance law set forth in paragraphs 11 through 14 above.
2. Respondent shall pay the penalty within 30 days of the date of signing this order.
3. Respondent shall commit no further violations of the laws referenced in the Conclusions of Law.

DATED this 13th day of December, 2016.

TODD E. KISER
Utah Insurance Commissioner


BRET F. RANDALL
Presiding Officer

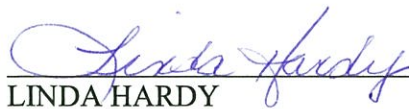
NOTICE TO RESPONDENT

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.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date a true and correct copy of the foregoing FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER was emailed to the following: Patrick Devlin, Counsel for Respondent, at patrick.devlin@libertymutual.com.

Dated this 13th day of December, 2016.


LINDA HARDY
UTAH INSURANCE DEPARTMENT
STATE OFFICE BUILDING, ROOM 3110
SALT LAKE CITY, UT 84114-6901