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

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| <p><b>UTAH INSURANCE DEPARTMENT,</b></p> <p>Complainant,</p> <p>v.</p> <p><b>UNITED STATES FIRE INSURANCE<br/>COMPANY,</b></p> <p>Respondent.</p> | <p><b>STIPULATION AND ORDER</b></p> <p><b>Docket No. 2018-029 PC</b><br/><b>Enf. Case No. 3980</b></p> <p>Lisa Watts Baskin, J.D.<br/>Administrative Law Judge</p> |
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**STIPULATION**

The Utah Insurance Department (“Department”), by and through its legal counsel, and United States Fire Insurance Company (“Respondent”), by and through its Vice President of Regulatory Affairs and Compliance, Caren Alvarado, hereby stipulate and agree as follows:

1. The Department has jurisdiction over the parties and subject matter of this administrative action.
2. Respondent acknowledges notice of agency action pursuant to Utah Code Section 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.

3. Respondent is aware of its right to be represented by legal counsel in this matter, and has either sought the advice of legal counsel or waived its right to do so.

4. This signed Stipulation and the signed Order, 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.

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

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

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

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

9. 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 20<sup>th</sup> day of March, 2018.

/s/ Caren Alvarado  
Caren Alvarado, VP Regulatory Affairs and Compliance  
CRUM & FORSTER

Dated this 20<sup>th</sup> day of March, 2018.

/s/ Helen A. Frohlich  
Helen A. Frohlich, Assistant Attorney General  
UTAH INSURANCE DEPARTMENT

Based upon the foregoing Stipulation and Department file, the Administrative Law Judge makes the following Findings of Fact:

**FINDINGS OF FACT**

1. Respondent is an active property and casualty insurer holding license number 21113. Respondent's business address is 305 Madison Avenue, PO Box 1973, Morristown, New Jersey 07962.
2. On October 20, 2017, the Department received a complaint regarding Respondent from a Utah consumer ("complainant"), and an investigation followed.
3. On June 5, 2017, complainant submitted an electronic claim to Trip Mate Insurance Agency, a company underwritten by United States Fire Insurance.
4. Complainant did not receive payment for his claim until on or about October 23, 2017.
5. The Respondent has agreed to an administrative forfeiture in the amount of \$2,000.00

Based upon the foregoing Stipulation and Findings of Fact, the Administrative Law Judge enters the following Conclusions of Law:

**CONCLUSIONS OF LAW**

1. Utah Administrative Code R599-190-10 outlines minimum standards for prompt, fair, and equitable settlements. It states in part:

(3) Unless otherwise provided by 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. Payment shall mean actual delivery or mailing of the amount owed. If such written proof is not furnished to the insurer as to the entire claim, any partial amount supported by written proof or investigation is overdue if not paid within 30-days. Payments are not

deemed overdue when the insurer has reasonable evidence to establish that the insurer is not responsible for the payment, notwithstanding that written proof has been furnished to the insurer.

2. Respondent violated this provision when it did not timely pay the claim.

3. An Administrative forfeiture in the amount of \$2,000.00 is appropriate

under the circumstances of this case.


Based on the foregoing Findings and Fact and Conclusions of Law, the Commissioner enters the following Order:

**ORDER**

1. Respondent, United States Fire Insurance Company, is assessed an administrative forfeiture in the amount of \$2,000.00 to be paid to the Department within 30 days of the date this Order is signed.

DATED this 21<sup>st</sup> day of March, 2018.

TODD E. KISER  
Insurance Commissioner

  
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LISA WATTS BASKIN, J.D.  
Administrative Law Judge  
Utah Insurance Department

**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.

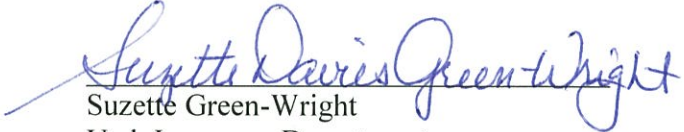
**CERTIFICATE OF MAILING**

The undersigned hereby certifies that on this date, a true and correct copy of the foregoing **STIPULATION AND ORDER** was regularly mailed and electronically mailed to the following:

UNITED STATES FIRE INSURANCE AGENCY  
c/o CAREN ALVARADO  
CRUM & FORSTER  
5 CHRISTOPHER WAY, 2<sup>ND</sup> FLOOR  
EATONTOWN, NEW JERSEY, 07724

Caren.Alvarado@cfins.com

Dated this 21<sup>st</sup> day of March, 2018

  
Suzette Green-Wright  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, UT. 84114-6901