

STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT

In Re: Lori Provencal

Docket No.: Ins. No. Docket: 20-060-EP

CONSENT ORDER

This Consent Order is made between the New Hampshire Insurance Department ("NHID") and Lori Provencal ("the Respondent"), the terms of which are as follows:

1. The Respondent acknowledges that she received proper notice of her rights to a formal administrative hearing pursuant to the Administrative Procedure Act, RSA 541-A:31.
2. The Respondent hereby waives all rights to a formal administrative hearing in this matter and agrees that this Consent Order, contained herein, shall have the full force and effect of an Order duly entered in accordance with the adjudicatory procedures provided for in the Administrative Procedure Act, RSA 541-A:31, or any other applicable law.

FINDINGS OF FACT

3. The NHID finds true and correct each of the following Findings of Fact:
 - a. The Respondent was first licensed as an independent insurance adjuster on June 7, 1999.
 - b. Respondent's adjuster's license expired October 1, 2018.
 - c. Respondent continued to adjust claims after her license had expired.
 - d. Respondent completed her CE credits during the expiration period at which time she first learned that she had failed to renew her adjuster license.
 - e. Respondent then immediately contacted the NHID and applied for licensure and it was approved effective February 5, 2020.
 - f. Respondent has been cooperative with the NHID investigation, has never failed to timely renew her adjuster's license before, has no complaints against her with the NHID and it appears that the failure to renew her license was through inattention and/or inadvertence.

CONCLUSIONS OF LAW

4. In accordance with the above Findings of Fact and the applicable provisions of law, the NHID concludes and finds the following Conclusions of Law:
- a. The Respondent is subject to the jurisdiction of the New Hampshire Insurance Department.
 - b. RSA 402-B:12 provides that "The commissioner may for good cause shown, after notice and hearing, suspend or revoke the insurance claims adjuster's license of any holder or subject him to an administrative fine not to exceed \$2,500."
 - c. The Respondent acknowledges that by working as an independent adjuster adjusting claims while being unlicensed is grounds for administrative action under RSA 402-B:12.

ORDER

5. In accordance with the Findings of Fact and Conclusions of Law, the NHID orders and the Respondent consents to the following:
- A. The Respondent acknowledges that her conduct violated 402-B:12 and agrees to pay an administrative fine in the amount of one thousand dollars (\$1,000).
 - B. The check must be made payable to "Treasurer, State of New Hampshire," and should be mailed to the New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, New Hampshire 03301 Attn. Sarah Prescott, Paralegal. The payment must be made to the NHID within 30 days of the signing and dating of this Consent Order by the Respondent.
 - C. In the event that the Respondent fails to meet any of the terms set forth in the preceding paragraph, the NHID may institute proceedings to suspend or revoke the Respondent's New Hampshire insurance adjuster license upon her failure to comply with the terms and conditions of this Consent Order.
 - D. By entering into this Consent Order, the NHID and the Respondent intend to resolve all issues relating to the above-mentioned matters. This Consent Order shall be deemed a complete settlement and full and final resolution, and is in lieu of any other action that could have been brought by the NHID relating to matters disclosed herein. Provided however, notwithstanding


the foregoing, the NHID may take any and all appropriate actions should the Respondent violate any provision of the State's insurance laws or rules in the future.

- E. This Consent Order shall be fully enforceable in any Superior Court in the State of New Hampshire, and any action to enforce this Consent Order shall be governed by the laws of the State of New Hampshire.


IT IS SO ORDERED.

NEW HAMPSHIRE INSURANCE DEPARTMENT

Date: 8/13/2020


Chris Nicolopoulos, Commissioner

Date: 8/6/2020


Lori Provencal