

FILED

JUN 27 2014

COMMISSION OF INSURANCE
INSURANCE DIVISION OF IOWA

BEFORE THE IOWA INSURANCE COMMISSIONER

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| IN THE MATTER OF |) | SUMMARY CEASE AND DESIST |
| |) | ORDER |
| ARNIE PAUL ANDREASEN |) | |
| NPN # 6948306 |) | DIVISION FILE NO.: 82902 |

Now comes the Iowa Insurance Division ("Division") pursuant to the provisions of the Iowa Unauthorized Insurers Act – Iowa Code Chapter 507A and the Iowa Licensing of Public Adjusters Act - Iowa Code Chapter 522C and finds as follows:

I. PARTIES AND JURISDICTION

1. The Commissioner of Insurance, Nick Gerhart, pursuant to Iowa Code § 505.8 (2013), administers the Iowa Unauthorized Insurers Act – Iowa Code Chapter 507A and Iowa Licensing of Public Adjusters Act – Iowa Code Chapter 522C.
2. Arnie Paul Andreasen ("Andreasen") is an individual who has a last known home mailing address of 13824 Utica Ave., Savage, MN 55378 and last known business mailing address of 1007 Early Lake Place, Burnsville, MN 55306.
3. Andreasen is not and has not been licensed with the Iowa Insurance Division as an insurance producer. According to the NAIC State Producer Licensing Report, Andreasen has been licensed in the state of Minnesota as a resident public adjuster since April 14, 2014. Prior to that, Andreasen was licensed in the state of Minnesota as a resident public adjuster solicitor from October 8, 2012 until January 31, 2014.
4. From January 15, 2014 to the present date, Andreasen has engaged in acts or practice constituting cause for a summary cease and desist order, fines or other relief under Iowa Code §§ 507A.10 and 522C.6 and rules adopted pursuant to Iowa Code Chapters 507A and 522C.

II. FINDINGS OF FACT

5. The act of doing an insurance business by an unauthorized person shall constitute the irrevocable appointment of the Commissioner as an agent for service of process pursuant to Iowa Code § 507A.5(1) (2013).
6. On January 29, 2014, Andreasen called an insurance adjuster who represented an insurer to advise him that he represented an Iowa insured with his insurance claim. Andreasen later that day followed up his phone call with an email to the insurance adjuster providing a Letter of Notification – Notice of Public Insurance Adjuster Services and Of Assignment signed by the Iowa insured and dated January 15, 2014.
7. On information and belief, at an unknown date in February 2014, Andreasen performed an inventory of the Iowa insured's property.
8. On March 3, 2014, the Division contacted Andreasen at his business address requiring information regarding his public adjuster activities in Iowa. A written response to the letter was required on or before March 14, 2014, but as of the date of this filing Andreasen has not responded.

III. VIOLATION OF IOWA INSURANCE LAWS AND REGULATIONS ACTING AS AN UNLICENSED PUBLIC ADJUSTER

9. Paragraphs 1 – 8 are incorporated by reference.
10. Andreasen has engaged in the doing of any kind of insurance business specifically recognized as constituting the doing of an insurance business within the meaning of the statutes relating to insurance, including acting as a public adjuster, in Iowa without a license or certificate of authority issued by the Division.

11. Therefore, Andreasen has violated Iowa Code §§ 507A.3, 507A.5 and 522C.4 (2013), by acting as an unauthorized insurer and unlicensed public adjuster and should be ordered to cease and desist.

12. This action is necessary and appropriate in the public interest and for the protection of policyholders and consistent with the purposes fairly intended by the provisions of Iowa Code Chapters 507A and 522C.

ORDERS

WHEREFORE, IT IS HEREBY ORDERED pursuant to the powers granted to the Commissioner of Insurance pursuant to Iowa Code §§ 507A.10 and 522C.6 as follows:

A. Andreasen shall Cease and Desist acting as a public adjuster without a license or certificate of authority as described herein or doing any other act or practice recognized as the doing of insurance business in the state of Iowa in violation of Iowa Code §§ 507A.3, 507A.5 and 522C.4 (2013).

B. Andreasen shall be assessed a civil penalty of \$5,000 for violating the provisions of the Iowa Unauthorized Insurers Act and the Iowa Licensing of Public Adjusters Act pursuant to Iowa Code §§ 507A.10 and 522C.6 (2013).

IT IS FURTHER ORDERED pursuant to the powers granted to the Commissioner of Insurance by Iowa Code § 507A.8 (2013) that Arnie Paul Andreasen, within thirty (30) days of receipt of this Order, furnish the Division with a complete listing of all contracts and other documents evidencing acting in the insurance business with Iowa policyholders as a public adjuster as defined in Iowa Code § 522C.2(7).

NOTICE REGARDING FAILURE TO REQUEST A HEARING

If you fail to request a hearing within thirty (30) days of the date of this Cease and Desist Order, the Order shall be a final Order of the Commissioner of Insurance and shall be enforceable by the Commissioner of Insurance in an administrative or court proceeding.

NOTICE REGARDING EXHAUSTION OF ADMINISTRATIVE REMEDIES AND RIGHT TO SEEK JUDICIAL REVIEW

The failure to request a hearing can constitute a failure to exhaust your administrative remedies and limit the issues subject to judicial review. You may seek judicial review of this Order pursuant to Iowa Code Chapter 17A after the Order becomes final. The Order becomes final thirty (30) days after it is issued if you do not timely request a contested case hearing, or following hearing if you do timely request a contested case hearing.

NOTICE OF PENALTIES FOR WILLFUL VIOLATION OF THIS ORDER

YOU ARE NOTIFIED that any person or insurer violating a summary order issued under sections 507A.10 and 522C.6 shall be deemed in contempt of that order. The commissioner may petition the district court to enforce the order as certified by the commissioner. The district court shall adjudge the person in contempt of the order if the court finds after hearing that the person or insurer is not in compliance with the order. The court may assess a civil penalty against the person or insurer and may issue further orders as it deems appropriate.

NOTICE REGARDING IMPACT OF ORDER ON EXISTING LICENSES

A final Cease and Desist Order may adversely affect existing business or professional licenses and result in license revocation or disciplinary action. For example, a final Cease and Desist

Order issued to a licensed insurance agent may subject the insurance agent to insurance license revocation or other disciplinary action. Further notice is given that the Iowa Insurance Division may review this Cease and Desist Order for a potential license revocation or disciplinary action.

NOTICE OF RIGHT TO REQUEST HEARING

NOTICE IS HEREBY GIVEN that Arnie Paul Andreasen or any individual representing the Respondent may request a hearing in this matter. This request must be in writing and must be received within thirty (30) calendar days of the date of the issuance of this order by the commissioner with Robert Koppin, Enforcement Bureau Chief, Iowa Insurance Division, Two Ruan Center, 601 Locust Street, Fourth Floor, Des Moines, Iowa 50309-3738. Upon receipt of a timely request for a contested case proceeding and hearing, a notice of hearing shall be issued within thirty (30) days to schedule the hearing date. The hearing date shall be no longer than ninety (90) days after the date of the notice of hearing unless extended by the presiding officer for good cause with at least fifteen days notice to the parties. The resulting hearing will be held in accordance with Iowa Code Chapter 17A.

Dated this 30 day of June, 2014.



NICK GERHART
Commissioner of Insurance

COPY SENT BY CERTIFIED AND FIRST CLASS MAIL TO:

Arnie Paul Andreasen
1007 Early Lake Place
Savage, MN 55378