

BEFORE THE IOWA INSURANCE COMMISSIONER

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IN THE MATTER OF:	)	ORDER AND CONSENT TO ORDER
	)	
DENNIS M. FLAHERTY	)	
	)	DIVISION FILE NO.: 68888

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COMES NOW the Iowa Insurance Division ("Division") pursuant to the provisions of the Licensing of Public Adjusters – Iowa Code Chapter 522C (2011), regarding the findings made by the Division as stated in the Cease and Desist Order dated September 17, 2010 ("Cease and Desist Order") and subsequent Statement of Charges dated October 27, 2010 which are incorporated herein by reference.

**AGREEMENT**

- Parties.** The Commissioner of Insurance, Susan E. Voss, enforces the Licensing of Public Adjusters - Iowa Code Chapter 522C (2011), and the rules promulgated thereto as codified in Chapter 55 of the Iowa Administrative Rules, pursuant to Iowa Code §505.8 (2011). Dennis M. Flaherty d/b/a Continental Fire Adjusters, and on behalf of Continental Fire Adjusters ("Flaherty"), admits that the Iowa Insurance Division has personal jurisdiction over Flaherty and has subject matter jurisdiction over the matters stated herein; and that Flaherty has engaged in acts or practices within the state of Iowa constituting violations of Chapter 522C and Chapter 55 of the Iowa Administrative Rules.
- Cease and Desist Order.** Flaherty agrees to the entry of the Cease and Desist Order which is incorporated herein by reference.
- Supervision.** Having completed all current licensure requirements, Flaherty's public adjuster license with the state of Iowa shall be reinstated upon Flaherty's execution of this Consent to Order and Agreement and the payee's receipt of all sums stated herein. Flaherty shall be subject to a two-year supervision period wherein Flaherty:

a. shall notify the Division of any oral or written complaint from an Iowa resident regarding the Flaherty's public adjuster activities within 72 hours of the complaint.

b. acknowledges that Flaherty's failure to satisfy any duty set forth in this Order and Consent to Order may result in the issuance of disciplinary action against Flaherty.

c. shall cooperate fully with the Division in any Division investigation.

4. **Civil Penalty and Costs.** In lieu of the \$5,000 civil penalty ordered in the Cease and Desist Order, Flaherty agrees to pay a civil penalty of \$3,000 and \$250 for costs incurred by the Division in its investigation. The \$3,250 check is due upon the signing of this Order and Agreement.

5. **Other Understandings.** Flaherty acknowledges the following:

a. Nothing contained in this Order shall be construed to deprive any person or entity of any private right of action under any law.

b. Nothing contained in this Order shall be construed to limit the authority of the Division to enforce laws, regulations, or rules against Flaherty.

c. The Iowa Insurance Division reserves its right to take administrative action for any violation of the Iowa insurance or securities statutes and/or regulations unknown to the Division at the date of the signing of this Order and Agreement.

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**ORDER**

IT IS THEREFORE ORDERED that:

1. Dennis M. Flaherty d/b/a Continental Fire Adjusters ("Flaherty") shall Cease and Desist violations of Iowa insurance laws and regulations as stated in item two of the Agreement.
2. Upon reinstatement of Flaherty's public adjuster license with the state of Iowa, Flaherty shall be subject to a two-year probationary period, and other requirements as stated in item three of the Agreement.
3. Flaherty shall pay a civil penalty of \$3,000 and costs of \$250 as stated in item four of the Agreement.

Dated this 25<sup>th</sup> day of February, 2011.

SUSAN E. VOSS  
Commissioner of Insurance



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ROBERT KOPPIN  
Enforcement Bureau Chief

**CONSENT TO ORDER AND AGREEMENT**

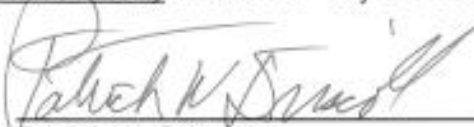
I, Dennis M. Flaherty, on behalf of myself and on behalf of Continental Fire Adjusters, have read, understood, and do knowingly consent to this Order in its entirety. By executing this consent, I understand that I am waiving my rights to a hearing, to confront and cross-examine witnesses, to produce evidence, and to judicial review. I also understand that this Order is considered final administrative action that shall be reported by the Division to the Central Registration Depository, if I am securities licensed, and, if I am insurance licensed, to the National Association of Insurance Commissioners and to all insurance companies with which I am actively appointed. I also understand that this Order is a public record under Iowa Code Chapter 22 (2011), that will be disclosed to other state regulatory authorities, upon request, pursuant to Iowa Code section 505.8(6)(c) (2011). I also understand that the information contained in the Order will be posted to the Division's web site and a notation will be made to my publicly available web site record that administrative action has been taken against me. I further represent that, by signing below, I have official capacity to act on behalf of, and bind Continental Fire Adjusters to the Order, and agree that Continental Fire Adjusters is hereby bound to the order.

Dated this 23<sup>rd</sup> day of February, 2011.

  
Dennis M. Flaherty

Printed Name: Dennis M. Flaherty Address: 3535 Utica Ridge Road, Bettendorf, IA 52722

Subscribed and sworn before me by Dennis M. Flaherty on this 23<sup>rd</sup> day of February, 2011.

  
Patrick W. Driscoll  
Notary Public for the State of Iowa

