

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 16564-IA17-1025-003

IN THE MATTER OF:)

Criterion Claims Solutions of Omaha, NE)
PO Box 787)
Omaha, NE 68101)

No License)

FILED

NOV 14 2017

STATE OF INDIANA
DEPT. OF INSURANCE

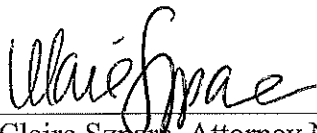
MOTION FOR EMERGENCY CEASE AND DESIST ORDER

The Enforcement Division of the Indiana Department of Insurance files its Motion for an Emergency Cease and Desist Order against Criterion Claims Solutions of Omaha, NE (“Respondent”) and states:

1. Respondent is not listed in the Department’s database as a licensed independent adjusting firm in Indiana.
2. During the course of its investigation, the Department learned from Respondent that Respondent was adjusting claims in Indiana without a license.
3. Indiana Code § 27-1-28-10 is an insurance law which says a person shall not act as an independent adjuster, or hold themselves out as an independent adjuster in Indiana, unless the person is licensed.
4. Indiana Code § 4-21.5-4-1(1) allows an agency to conduct proceedings if an emergency exists.

5. An emergency exists in that Respondent, an unlicensed firm, is actively adjusting claims in Indiana, which violates an Indiana Insurance law and is harmful to Indiana consumers.

WHEREFORE, the Enforcement Division requests that the Commissioner issue an Emergency Cease and Desist Order against Respondent under Indiana Code § 4-21.5-4-2(a)(1), and for all other necessary and proper relief.



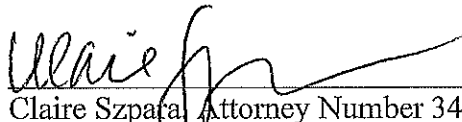
Claire Szpara, Attorney Number: 34219-64
Attorney, Enforcement Division

Indiana Department of Insurance
Enforcement Division
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787
Telephone: (317) 232-5312
Facsimile: (317) 232-5251

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served upon Respondents listed below by United States first class mail, this _____ day of November, 2017.

Criterion Claims Solutions of Omaha, NE
PO Box 787
Omaha, NE 68101



Claire Szpara, Attorney Number 34219-64
Attorney, Enforcement Division

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Type of Action: Enforcement)

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STATE OF INDIANA
DEPT. OF INSURANCE

ORDER GRANTING
EMERGENCY CEASE AND DESIST ORDER

The Commissioner of the Indiana Department of Insurance (“Commissioner”), having reviewed the Enforcement Division’s Motion for Emergency Cease and Desist Order, and being otherwise duly advised, and now finds as follows:

FINDINGS OF FACT

1. The Department of Insurance (“Department”) is authorized to regulate the practice of insurers and producers in Indiana under Indiana Code § 27-1 *et seq.*
2. Respondent is not listed in the Department’s database as a licensed independent adjuster in Indiana.
3. The Department has verified with Respondent that Respondent was engaged in adjusting claims in Indiana.

4. Respondent's conduct in engaging in the unlicensed adjusting of claims in Indiana Insurance law and is harmful to consumers.

CONCLUSIONS OF LAW

1. An emergency exists in that Respondent, an unlicensed firm, is adjusting claims and holding itself out to be an independent adjusting firm in Indiana, in violation of Indiana Code § 27-1-28-10, which says a person shall not act as an independent adjuster or hold themselves out as an independent adjuster in Indiana, unless the person is licensed.
2. An emergency also exists in that the unlicensed adjusting of insurance claims is harmful to consumers.
3. In an emergency, the Commissioner may issue appropriate orders without notice or an evidentiary proceeding under Indiana Code § 4-21.5-4-2(a) and this Emergency Order is issued pursuant to that.
4. This Emergency Order also satisfies the requirements of Indiana Code § 4-21.5-4-2(b).
5. Conclusions of Law that are properly stated as Findings of Fact are incorporated herein.

ORDER

It is **ORDERED** that Respondent Criterion must cease and desist from insurance claims in Indiana without a license. Pursuant to Indiana Code § 4-21.5-4-5(3), this Emergency Order remains effective for 90 days commencing on the date this order is issued.

Under Indiana Code § 4-21.5-4-3, this Emergency Order is effective when issued. **Respondent has the right to request a hearing on this Emergency Order by filing a request for a hearing**, and if requested, an evidentiary hearing will be set on the matter as soon as practicable pursuant to Indiana Code § 4-21.5-4-4.

SO ORDERED this 14th day of November, 2017.

A handwritten signature in black ink, reading "Stephen W. Robertson", is written over a horizontal line. The signature is cursive and extends slightly to the right of the line.

Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution to:

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