

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 21455-PA22-0524-002

IN THE MATTER OF:)
)
Adam E. Greer)
109 West Marsile Street)
Bourbonnais, IL 60914)
)
Applicant.)
)
Type of Agency Action: Enforcement)
)
License Application #: 960236)

FILED

OCT 25 2022

STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF CERTIFICATION DENIAL

The Indiana Department of Insurance, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.* and Indiana Code § 27-1-27, hereby gives notice to Adam Greer (“Applicant”) of the following Administrative Order:

1. Applicant filed an application for a nonresident public adjuster’s certificate of authority with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on April 6, 2022.
2. Before approving an application, the Commissioner must find that Applicant has met specific requirements under Indiana Code § 27-1-27-3 and Indiana Code § 27-1-27-7.1.
3. Indiana Code § 27-1-27-7.1(b)(1), provides, in part, that the Commissioner may refuse to issue a public adjuster’s certificate of authority for providing incorrect, misleading, incomplete, or materially untrue information in an application for a certificate of authority.

4. Indiana Code § 27-1-27-7.1(b)(2) provides, in part, that the Commissioner may refuse to issue a public adjuster's certificate of authority for violating an insurance law, a subpoena, or an order of the commissioner or another state's insurance commissioner.
5. Indiana Code § 27-1-27-7.1(b)(8), provides, in part, that the Commissioner may refuse to issue a public adjuster's certificate of authority for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility, in the conduct of insurance business.
6. Following a review of public records and a review of materials submitted by Applicant in support of his application, the Commissioner, being fully advised, now hereby notifies Applicant that he has not fully met the requirements of certification as stated by Indiana Code § 27-1-27-7.1(b)(1), by failing to disclose information on his 2022 application for a certificate of authority. Applicant failed to disclose the following information:
 - A. July 28, 2009, conviction for Possession of a Controlled Substance, a Class A Misdemeanor.
 - B. December 9, 2021, Emergency Cease and Desist Order issued by Department to Applicant and associated business, Exact Loss Consulting.
 - C. December 9, 2021, Suspension Order issued by Department to Exact Loss Consulting.
 - D. Five (5) lawsuits that have resulted in default judgement: Marion County case 49D12-2107-CC-023678 and 49D12-1507-CC-025032. Elkhart County Cases 20C01-2109-PL-000238, 20D02-2012-PL-000247 and 20D02-2010-PL-000187.

7. Following a review of public records and a review of materials submitted by Applicant in support of his application, the Commissioner, being fully advised, now hereby notifies Applicant that he has not fully met the requirements of certification as stated by Indiana Code § 27-1-27-7.1(b)(2), by violating an insurance law. The Department has obtained public adjuster contracts solicited by Applicant. Applicant solicited public adjuster contracts on July 30, 2021, and October 14, 2021. Applicant's certificate of authority has been expired since December 31, 2020. Applicant has solicited public adjuster contracts while uncertified, in violation of § 27-1-27-2, an insurance law.
8. Following a review of public records and a review of materials submitted by Applicant in support of his application, the Commissioner, being fully advised, now hereby notifies Applicant that he has not fully met the requirements of certification as stated by Indiana Code § 27-1-27-7.1(b)(8), for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility, in the conduct of insurance business. The following are default judgments made against the Applicant regarding his public adjuster business practices:
 - a. Elkhart County 20C01-2109-PL-000238: Applicant, Exact Loss Consulting, and Storm Solution Pros are named defendants. The court found, through default judgement, plaintiffs entered into a public adjuster contract and provided insurance proceeds to public adjuster company, Exact Loss Consulting; however, services were never rendered by the referred contractor, Storm Solution Pros. On December 12, 2021, default judgement was entered in favor of the plaintiffs. Plaintiff Bruce Barker was awarded \$76,078.22 and Plaintiff Hoosier Industrial Supply was awarded \$17,451.21.

- b. Elkhart County 20D02-2012-PL-000247: Applicant, Exact Loss Consulting, and Storm Solution Pros are named defendants. The court found, through default judgement, plaintiffs entered into a public adjuster contract and provided insurance proceeds to public adjuster company, Exact Loss Consulting; however, services were never rendered by the referred contractor, Storm Solution Pros. On January 20, 2022, default judgement was entered in favor of the plaintiffs. Judgement found plaintiffs are entitled to recover from defendants on each contract and defendants are not entitled to any compensation from any of the plaintiffs. The court found plaintiffs are entitled to be reimbursed for attorney fees in the sum of \$3,612.34.
 - c. Elkhart County 20D02-2010-PL-000187: Applicant, Exact Loss Consulting, and Storm Solution Pros are named defendants. The court found, through default judgement, plaintiffs entered into a public adjuster contract and provided insurance proceeds to public adjuster company, Exact Loss Consulting; however, services were never rendered by the referred contractor, Storm Solution Pros. On October 3, 2022, an entry of default was issued in favor of the plaintiffs.
9. Indiana Code § 27-1-27-7.1(c) provides that Applicant may, not more than thirty (30) days after notice of denial of the application is received, make written demand to the Commissioner for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action.
10. This is considered an administrative action by the Indiana Department of Insurance. If you choose to appeal this administrative action, please follow the aforementioned

instructions. Subsequently, after the Department has received your written request for a hearing, the State of Indiana Office of Administrative Law Proceedings (“OALP”) will assign an administrative law judge to preside over this matter, and you will receive more information from OALP to begin the administrative process.

IT IS THEREFORE ORDERED that Applicant’s request for certification is hereby **DENIED** pursuant to Indiana Codes § 27-1-27-7.1(b)(1), § 27-1-27-7.1(b)(2), and § 27-1-27-7.1(b)(8), due to Applicant’s failure to disclose certain information in an application for a certificate of authority, violating an insurance law, and for dishonest and untrustworthy business practices in the conduct of insurance business. Applicant may reapply for licensure not less than one (1) year from the date of this order.

10-25-2022

Date Signed



Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution to:

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