



**THE STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

21 SOUTH FRUIT STREET SUITE 14
CONCORD, NEW HAMPSHIRE 03301

Roger A. Sevigny
Commissioner

Alexander K. Feldvebel
Deputy Commissioner

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

In Re: Reynaldo T. Figueroa

Docket No.: INS No. 08-075-EP

ORDER ON WITHDRAWAL

The Insurance Department ("Department") denied Petitioner a non-resident insurance adjuster's license by letter dated September 26, 2008. Petitioner requested a hearing on the Department's denial on October 24, 2008. The request for a hearing was timely filed. A Hearing was held at the Insurance Department on January 8, 2009. Petitioner requested to participate by telephone and the request was granted.

The Hearing was closed on January 8, 2009. RSA 400-A:23, II provides that upon closing a hearing an Order on Hearing will be issued within 90 days. On January 16, 2009 the Department informed Petitioner and this Hearing Officer that "Based upon the new evidence that you (Petitioner - ed.) presented at the hearing, the Department is rescinding its denial of your adjuster application rendered in its letter dated September 26, 2008." An Order on Hearing had not been rendered on or before January 16, 2009.

RSA 541-A:31, V.(a) provides, "Unless precluded by law, informal disposition may be made of any contested case, at any time prior to the entry of a final decision or order by stipulation, agreed settlement, consent order or default." I find that informal disposition of the subject matter of a hearing is encouraged up to the actual issuance of an Order on Hearing. Since the Order on Hearing was not issued prior to January 16, 2009, then the Department's rescission of its denial of licensure terminates this Hearing and no Order on Hearing need be issued.

January 20, 2009
Date

Donald L. Belanger
Donald L. Belanger, Hearing Officer