

**STATE OF NEW HAMPSHIRE  
INSURANCE DEPARTMENT**

**In Re: Joseph Nodal  
Docket No.: Ins. No. 24-022-EP**

**ORDER TO SHOW CAUSE  
AND  
NOTICE OF HEARING**

The New Hampshire Insurance Department ("NHID") orders Joseph Nodal ("Respondent") to show cause why the New Hampshire Insurance Commissioner should not levy an administrative fine against him and revoke his New Hampshire insurance adjuster license. In support of the Order to Show Cause and pursuant to RSA 541-A:31, RSA 400-A:17 *et seq.* and Ins Chapter 200, the NHID states as follows:

**STATEMENT OF FACTS**

1. Respondent is a Florida domiciled insurance adjuster with an NPN of 19305525.
2. On December 4, 2023, Respondent submitted an application for a NH adjuster license, and in that application answered "Yes" to background question 7 inquiring about past due child support.
3. On December 4, 2023, the NHID Licensing Supervisor e-mailed Respondent to inquire about his past due child support and requesting additional information and documentation showing Respondent was in compliance with NH RSA 402-B:12, XII.
4. On December 5, 2023, Respondent e-mailed to the NHID an agreement between himself and the Florida Department of Revenue including terms for payment of his past due child support; that agreement was dated that same day, December 5, 2023.
5. On December 20, 2023, NHID Compliance & Enforcement Counsel e-mailed Respondent to indicate his license application would be approved and that Counsel would be checking in with him in a few months' time to ensure he was complying with the agreement with the Florida Department of Revenue.
6. On March 20, 2024, Compliance & Enforcement Counsel e-mailed Respondent and requested documentation showing he was up to date with his child support payments. Respondent did not respond to that request.

7. On April 9, 2024, Compliance & Enforcement Counsel e-mailed Respondent and requested documentation showing he was up to date with his child support payments. Respondent did not respond to that request.
8. To date, Respondent has not provided a response to either request by the NHID, nor provided proof he is current with his child support obligations.

#### **STATEMENT OF ISSUES**

9. Whether Respondent violated NH RSA 400-A:16, II by failing to respond within 10 working days to the NHID's March 20, 2024, request.
10. Whether Respondent violated NH RSA 400-A:16, II by failing to respond within 10 working days to the NHID's April 9, 2024, request.
11. The NHID reserves the right to amend this statement of issues upon reasonable notice to the Commissioner (or his designated Representative) and the Respondent.

#### **INSURANCE LAWS VIOLATED BY RESPONDENT**

12. The NHID maintains the Respondent violated the following New Hampshire insurance law statutes: NH RSA 400-A:16, II.
13. The NHID reserves the right to amend this list of insurance laws violated by the Respondent upon reasonable notice to the Commissioner (or his designated Representative) and the Respondent.

#### **PENALTY REQUESTED**

14. In the event that the Hearing Officer determines after an evidentiary hearing that the NHID sustained its burden of proof with respect to the allegations of fact and violations of law outlined above, the NHID requests that the Hearing Officer impose the following sanctions on the Respondent:
  - a. Order the Respondent to pay a penalty of \$5,000; and
  - b. Order that the Respondent's license in this state be revoked.
15. The NHID reserves the right to amend penalty requested upon reasonable notice to the Commissioner (or his designated Representative) and the Respondent.

## NOTICE OF HEARING

16. An adjudicatory proceeding shall be commenced for the purpose of resolving the issues articulated above pursuant to RSA 541-A:31, RSA 400-A:17, *et seq.*, and Ins 200. To the extent that the Department's rules do not address an issue of policy or procedures, the Department shall apply the N.H. Department of Justice Rules, Part 800.
17. The Respondent shall appear at Department on **June 13, 2024, at 1:30 PM** at the Department's office located at 21 South Fruit Street, Suite 14, in Concord New Hampshire to participate in this adjudicatory proceeding and, if deemed appropriate, be subject to sanctions pursuant to RSA 400-A:15, III. Respondent's failure to appear at the time and place specified above may result in the hearing being held *in absentia* and sanctions may be imposed without further notice or an opportunity to be heard.
18. Emily Doherty, Esq. is appointed to act as Hearing Officer in this matter with all the authority within the scope of RSA 400-A:19 and Ins 203.01.
19. Sandra Barlow shall serve as clerk to the Hearing Officer. The parties should direct all communications to Ms. Barlow, whose contact information is:

Sandra Barlow, Clerk  
New Hampshire Insurance Department  
21 South Fruit Street, Suite 14  
Concord, NH 03301  
Tel: (603) 271-2033  
Fax: (603)271-1406  
Email: [sandra.l.barlow@ins.nh.gov](mailto:sandra.l.barlow@ins.nh.gov)

20. Respondent has the right to be represented by a lawyer in this proceeding. However, Respondent shall bear the cost of retaining said lawyer. Should Respondent elect to retain a lawyer, his lawyer shall file a Notice of Appearance with Ms. Barlow, and said lawyer should do so at the earliest possible date. A copy of the NHID's Notice of Appearance form is enclosed with this Order.
21. Any party may request a transcript of the proceeding. The party requesting a transcript of the proceedings shall file a written request for a certified court

reporter with the Hearing Officer at least 10 days prior to the scheduled hearing date. The costs incurred for the services of a certified court reporter shall be borne by the requesting party.

22. Joshua Hilliard, Esq. shall serve as staff advocate representing the interests of the NHID.

23. All routine procedural inquiries may be made by contacting Sandra Barlow, Hearing Clerk, New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord NH 03301, (603) 271-2033, but that all other communications with the Hearing Officer and the Commissioner shall be in writing and filed as provided above. *Ex parte* communications are forbidden by statute and the Department's regulations.

24. A copy of this hearing notice shall be served upon Respondent by certified mail addressed to the mailing address on file with New Hampshire Insurance Department. *See*, RSA 400-A:14.

It is **SO ORDERED**.

NEW HAMPSHIRE INSURANCE DEPARTMENT

Date: 5/6/24

  
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David J. Bettencourt  
Insurance Commissioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Order to Show Cause and Notice of Hearing was sent this date by first-class mail, postage prepaid, and by certified mail, return receipt requested to Respondent at 3881 W State Road 84, Unit 106 Davie FL, 33312-8824 and [jnodb@allstate.com](mailto:jnodb@allstate.com), the mailing and e-mail addresses the Respondent has on file with the NHID.

Date: 5/6/24

  
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Joshua S. Hilliard, Esq.  
Compliance & Enforcement Counsel