

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

In Re: Ryan Christopher Fennelly

Docket No.: Ins. No. Docket 17-030-EP

CONSENT ORDER

This Consent Order is made between the New Hampshire Insurance Department (“NHID”) and Ryan Christopher Fennelly (“the Respondent”), the terms of which are as follows:

1. The Respondent acknowledges that he received proper notice of his rights to a formal administrative hearing pursuant to the Administrative Procedure Act, RSA 541-A:31.
2. The Respondent hereby waives all rights to a formal administrative hearing in this matter and agrees that this Consent Order, contained herein, shall have the full force and effect of an Order duly entered in accordance with the adjudicatory procedures provided for in the Administrative Procedure Act, RSA 541-A:31, or any other applicable law.

FINDINGS OF FACT

3. The NHID finds true and correct each of the following Findings of Fact:
 - a. The Respondent was first licensed as an independent insurance adjuster on August 17, 2010.
 - b. The Respondent was first licensed as a public insurance adjuster on October 12, 2016.
 - c. At all relevant times, the Respondent was employed by Property Adjuster Associates, working for licensed public adjuster, Dennis Stavrou.
 - d. On June 16, 2015 the Respondent executed a Public Adjuster Contract between Property Adjuster Associates and Frank P., in which he agreed and did so act to represent the policy holder’s interest in a claim involving The Standard Fire Insurance Company (a part of the Travelers group).
 - e. On October 10, 2015 the Respondent executed a Public Adjuster Contract between Property Adjuster Associates and Edward M. and Deborah D., in which he agreed and did so act to represent the policy holders’ interest in a claim involving Concord General Mutual Insurance Company.

CONCLUSIONS OF LAW

4. In accordance with the above Findings of Fact and the applicable provisions of law, the NHID concludes and finds the following Conclusions of Law:
- a. The Respondent is subject to the jurisdiction of the New Hampshire Insurance Department.
 - b. NH RSA 402-D:3(I) states that, “(a) person shall not act or hold himself or herself out as a public adjuster in this state unless the person is licensed as a public adjuster in accordance with this chapter.”
 - c. NH RSA 402-D:10(I)(b) provides, in part, that, “(t)he commissioner may place on probation, suspend, revoke, or refuse to issue or renew a public adjuster's license or may impose an administrative fine in the amount of \$2,500 per violation, or impose any combination of actions,” for “(v)iolating any insurance laws.”
 - d. The Respondent acknowledges that by working as a public adjuster on behalf of Frank P., without a public adjuster license, that he violated NH RSA 402-D:3(I).
 - e. The Respondent acknowledges that by working as a public adjuster on behalf of Edward M. and Deborah D., without a public adjuster license, he violated NH RSA 402-D:3(I).

ORDER

5. In accordance with the Findings of Fact and Conclusions of Law, the NHID orders and the Respondent consents to the following:
- A. The Respondent acknowledges that his conduct as described above violated RSA 402-D:3(I) and agrees to pay an administrative fine in the amount of two thousand dollars (\$2,000)¹ The Respondent shall pay the fine in two installments according to the following payment schedule: one thousand dollars (\$1,000) due upon execution of this Consent Order and one thousand dollars (\$1,000) due within ninety (90) days of the Insurance Commissioner’s execution of this Order.

¹ One thousand dollars (\$1,000) per violation of RSA 402-D:3(I).

- B. The checks must be made payable to "Treasurer, State of New Hampshire," and should be mailed or hand-delivered to the attention of Carolyn Petersen, New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, New Hampshire 03301.
- C. The Respondent understands and agrees that failure to pay the fine within the specified time period will automatically result in a suspension of both his independent insurance adjuster and public insurance adjuster license until such time as the fine is paid in full.
- D. In the event that the Respondent fails to meet any of the terms set forth in the preceding paragraph, the NHID may institute proceedings to revoke the Respondent's New Hampshire independent and public insurance adjuster licenses on his failure to comply with the terms and conditions of this Consent Order.
- E. By entering into this Consent Order, the NHID and the Respondent intend to resolve all issues relating to the above-referenced matters. This Consent Order shall be deemed a complete settlement and full and final resolution, and is in lieu of any other action that could have been brought by the NHID relating to matters disclosed herein. Provided however, notwithstanding the foregoing, the NHID may take any and all appropriate actions should the Respondent violate any provision of the State's insurance laws in the future.
- F. This Consent Order shall be fully enforceable in any Superior Court in the State of New Hampshire, and any action to enforce this Consent Order shall be governed by the laws of the State of New Hampshire.

IT IS SO ORDERED.

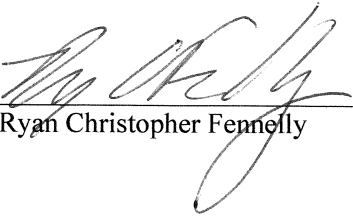
NEW HAMPSHIRE INSURANCE DEPARTMENT

Date: 7-27-17



Roger A. Sevigny, Commissioner

Date: 7/21/2017



Ryan Christopher Fennelly