

STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER

In The Matter of

Vicki L. Boser
and
InsuranceTek Inc.,

Licensees.

ORDER NO. 17-0014

WAOIC NO. 83040
NPN 5774965

WAOIC NO. 215820
FEIN 20-0189420

ORDER SUSPENDING LICENSES
PENDING REVOCATION

To: Vicki L. Boser
InsuranceTek Inc.
PO Box 70
Snohomish WA 98291-0070
Vicki@insurance-tek.com

Vicki L. Boser
14002 67th Avenue SE
Snohomish WA 98296-8956

Vicki L. Boser
InsuranceTek Inc.
108 Union Avenue
Snohomish WA 98290-2971

IT IS ORDERED AND YOU ARE HEREBY NOTIFIED that your Washington State insurance producer licenses are **SUSPENDED**, effective **February 1, 2017**, pursuant to RCW 48.17.530 and RCW 48.17.540. This suspension is **PENDING REVOCATION** of your licenses, as laid out in the **ORDER REVOKING LICENSE** served concurrently with this Order.

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State of Washington
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

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BASIS:

1. Vicki L. Boser ("the Licensee") is a Washington resident insurance producer, WAOIC No. 83040, first licensed June 17, 1991.

2. InsuranceTek Inc. ("InsuranceTek") is a licensed insurance agency, WAOIC No. 215820, first licensed October 15, 2003. The Licensee is the owner and Designated Licensed Responsible Person ("DLRP") for InsuranceTek and as its DLRP, the Licensee is responsible for InsuranceTek's compliance with the insurance laws and rules of this state and her actions as the DLRP impact the licensure of InsuranceTek.

3. The Office of the Insurance Commissioner ("Insurance Commissioner") discovered after an investigation that on November 17, 2015, InsuranceTek collected full premium for a commercial/E&O/auto insurance policy for the time period November 20, 2015, to November 20, 2016. Andris Slokenbergs ("Slokenbergs") of MB Property Inspection Services LLC was offered the option to finance the premium with Tepco Premium Finance, LLC ("Tepco") but paid the premium in full via an ACH payment. Payment included \$31,632.95 for general liability and E&O insurance with Western Heritage Insurance Company.

4. In November 2016, Slokenbergs was unable to contact InsuranceTek agent Vicki Boser to renew the policy, so Slokenbergs contacted the surplus lines broker, Cochrane & Company ("Cochrane"). Slokenbergs' policy had canceled in June 2016 due to nonpayment of premium to Tepco. The premium was unpaid by \$14,415 and the insurance had lapsed for six months without any notification from InsuranceTek. Slokenbergs had to pay \$14,415 to reinstate the policy, in addition to the premium he had already paid. InsuranceTek forwarded only \$903.63 of the premium paid by Slokenbergs to Cochrane. \$30,729.32 of the premium paid by Slokenbergs had not been forwarded by the Licensee to Cochrane.

5. InsuranceTek e-signed the premium finance agreement on Slokenbergs' behalf, after it had already received a full premium payment, and sent an invoice receipt for the payment to the customer. InsuranceTek then deliberately substituted its own address for the customer's address, and as a result, MB Property Inspection Services had no idea a premium finance agreement had been opened in its name.

6. Because Cochrane believed the premiums for these policies were being financed, it bound and issued the policies. InsuranceTek made five monthly payments, four of which were late and incurred \$596.44 in fees. The policies were also cancelled three times due to nonpayment, including an additional \$60 in fees. The policies were finally cancelled permanently in June 2016.

7. InsuranceTek notified the company that Slokenbergs would be financing the premium. In addition, InsuranceTek incorrectly issued 29 certificates of insurance to MB Property Inspection Services without Cochrane's approval, before the policy was bound and issued.

8. MB Property Inspection Services paid a total of \$46,047.95; \$31,632.95 of this was the initial premium (only \$903.63 of which InsuranceTek forwarded to Cochrane), and \$14,415 was the additional payment it made to reinstate the policy. MB Property Inspection Services is pursuing collection of the additional \$14,415 from InsuranceTek.

9. The Licensee did not respond to contact attempts made by the Insurance Commissioner's investigators, and could not be interviewed. These inquiries included letters mailed to the Licensees' mailing address on record with the Insurance Commissioner. InsuranceTek is still soliciting and selling insurance as of January 6, 2017.

10. RCW 48.17.530(1)(d) allows the Insurance Commissioner to place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license for improperly withholding, misappropriating, or converting any moneys or properties received in the course of doing insurance business. By converting and failing to forward all the premium monies received from Slokenbergs and MB Property Inspection Services, the Licensees violated RCW 48.17.530(1)(d), justifying the revocation of the Licensees' licenses.

11. RCW 48.17.530(1)(g) allows the Insurance Commissioner to place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license for having admitted or been found to have committed any insurance unfair trade practice or fraud. By signing the premium finance agreement on Slokenbergs' behalf, after it had already received a full premium payment, and deliberately substituting its own address for the customer's address, so the customer was unaware of the fraud perpetuated, and by converting and failing to forward all the premium monies received from Slokenbergs and MB Property Inspection Services, the Licensees violated RCW 48.17.530(1)(g), justifying the revocation of the Licensees' licenses.

12. RCW 48.17.530(1)(h) allows the Insurance Commissioner to place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in this state or elsewhere. By signing the premium finance agreement on Slokenbergs' behalf, after it had already received a full premium payment, and deliberately substituting its own address for the customer's address, so the customer was unaware of the fraud perpetuated, and by converting and failing to forward all the premium monies received from Slokenbergs and MB Property Inspection Services, the Licensees violated RCW 48.17.530(1)(h), justifying the revocation of the Licensees' licenses.

13. RCW 48.17.530(1)(j) allows the Insurance Commissioner to place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license for forging another's name to an application for insurance or to any document related to an insurance transaction. By forging another's name to an application for insurance or to any document related to an insurance transaction, the Licensees violated RCW 48.17.530(1)(j), justifying the revocation of the Licensees' licenses.

14. RCW 48.17.530(1)(b) allows the Insurance Commissioner to place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license for violating any insurance laws, or violating any rule, subpoena, or order of the Insurance Commissioner or of another state's insurance commissioner.

15. RCW 48.17.475 states every insurance producer, title insurance agent, adjuster, or other person licensed under this chapter shall promptly reply in writing to an inquiry of the Insurance Commissioner relative to the business of insurance. A timely response is one that is received by the Insurance Commissioner within fifteen business days from receipt of the inquiry. Failure to make a timely response constitutes a violation of this section. The Licensees are responsible for keeping all addresses up to date with the Insurance Commissioner under WAC 284-17-005. By failing to respond to inquiries from the Insurance Commissioner mailed to Licensees' address on record with the Insurance Commissioner, the Licensees violated RCW 48.17.475 and WAC 284-17-005, justifying the revocation of the Licensees' licenses under RCW 48.17.530(1)(b).

16. RCW 48.17.480 provides all funds representing premiums or return premiums received by an insurance producer shall be so received in the insurance producer's fiduciary capacity, and shall be promptly accounted for and paid to the insured, insurer, title insurance agent, or insurance producer as entitled thereto. By failing to pay the premiums received in the Licensees' fiduciary capacity to the insurer, the Licensees violated RCW 48.17.480, justifying the revocation of the Licensees' licenses under RCW 48.17.530(1)(b).

17. RCW 48.30.190(1) states no person shall willfully collect any sum as premium for insurance, which insurance is not then provided or is not in due course to be provided by an insurance policy issued by an insurer as authorized by this code. By willfully collecting and failing to forward all the premium monies received from Slokenbergs and MB Property Inspection Services, causing the insureds' policy to lapse, the Licensees violated RCW 48.30.190(1), justifying the revocation of the Licensees' licenses under RCW 48.17.530(1)(b).

18. RCW 48.30.190(2) states no person shall willfully collect as premium for insurance any sum in excess of the amount actually expended or in due course is to be expended for insurance applicable to the subject on account of which the premium was collected. By collecting as premium for insurance a sum in excess of the amount actually expended or in due course was to be expended for insurance applicable to the subject on account of which the premium was collected, the Licensees violated RCW 48.30.190(2), justifying the revocation of the Licensees' licenses under RCW 48.17.530(1)(b).

19. Licensees' unremedied violations as set forth herein and ongoing further violations currently under investigation pose a continuing threat to the public health and safety, imperatively requiring emergency action by the Insurance Commissioner in the form of the temporary suspension of Licensees' insurance producer licenses pending revocation of the same licenses by order served on Licensees concurrently with this Order.

IT IS FURTHER ORDERED that, pursuant to RCW 48.17.540(3), this suspension is **PENDING REVOCATION** of your licenses, as laid out in the **ORDER REVOKING LICENSE** served concurrently with this Order. This **ORDER SUSPENDING LICENSES PENDING REVOCATION** is imperatively required by the threat to public health and safety

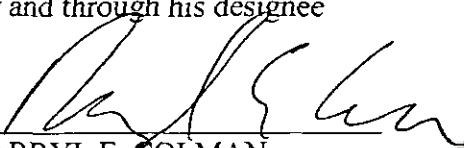
posed by Licensees' ongoing business practices which violate the Insurance Code and related regulation. Such suspension shall continue only until proceedings for revocation are concluded.

ENTERED at Tumwater, Washington, this 27th day of January, 2017.



MIKE KREIDLER
Insurance Commissioner

By and through his designee



DARRYL E. COLMAN
Insurance Enforcement Specialist
Legal Affairs Division



ORDER SUSPENDING LICENSES
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Office of the Insurance Commissioner
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Olympia, WA 98504-0255

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NOTICE OF YOUR RIGHT TO A HEARING

If you are aggrieved by this Order Suspending License Pending Revocation, you may demand a hearing in accordance with RCW 48.04.010, WAC 284-02-070, and WAC 10-08-110. Generally a hearing demand must be in writing and received within 90 days after the date of this Order Suspending License Pending Revocation, which is the day it was mailed to you, or you will waive your right to a hearing.

If the Insurance Commissioner receives your demand for a hearing before the effective date listed on the order suspending your license, the suspension will be automatically stayed (postponed) and your license will remain in effect pending the hearing.

You may fill out a demand for hearing form online at the following location:
www.insurance.wa.gov/laws-rules/administrative-hearings/how-to-file/

Alternatively, if you choose to file by mail, your demand for hearing must briefly state how you are harmed by this decision and why you disagree with it, along with contact information (phone number, mailing address, e-mail address, etc.) for yourself and any representative that appears on your behalf. The demand may be sent to the following address:

Hearings Unit
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

You will be notified of the time and place of your hearing. If you have questions about filing a demand for hearing or the hearing process, please telephone the Hearings Unit at (360) 725-7002, or send an email to HearingsU@oic.wa.gov.

CERTIFICATE OF MAILING

The undersigned certifies under the penalty of perjury under the laws of the state of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

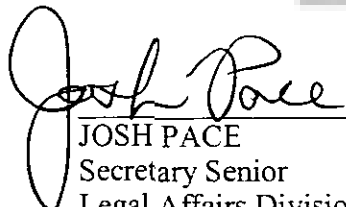
On the date given below I caused to be served the foregoing Order Suspending License Pending Revocation on the following individual by email and by depositing in the U.S. mail via state Consolidated Mail Service with proper postage affixed:

Vicki L. Boser
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PO Box 70
Snohomish WA 98291-0070
Vicki@insurance-tek.com

Vicki L. Boser
14002 67th Avenue SE
Snohomish WA 98296-8956

Vicki L. Boser
InsuranceTek Inc.
108 Union Avenue
Snohomish WA 98290-2971

Dated this 27th day of January, 2017, in Tumwater, Washington.



JOSH PACE
Secretary Senior
Legal Affairs Division

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