

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF INSURANCE

In the Matter of:)
)
PARKER, SMITH & FEEK, INC.)
)
Licensee.)
_____)

Case No. D 11-15

STIPULATED AGREEMENT AND ORDER

The Division of Insurance (division) and Parker, Smith & Feek, Inc. (PSF), the licensee in this case, stipulate and agree to the following:

I. BACKGROUND

- A. PSF holds surplus lines broker and firm insurance producer license #7868.
- B. Under AS 21.06.130, on November 16 through 19, 2010, the division performed a limited and targeted premium tax audit of PSF covering the period of January 1, 2008 through December 31, 2009. The audit was completed and a report and order approving the report were issued March 21, 2011 under number TA 10-02. Both were sent to PSF on March 21, 2011.
- C. The audit report identified 45 violations of AS 21.34 that are within the control of PSF to correct in order to comply with Alaska insurance laws.
- D. The violations of AS 21.34 subject PSF to civil penalties under AS 21.34.230.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

II. TERMS OF AGREEMENT

1. The division agrees that any future audit performed on PSF related hereto will cover calendar years starting with 2012 or later but not any year before 2012.

2. PSF agrees to pay a civil penalty under AS 21.34.230 in the amount of \$70,000, with \$35,000 suspended. The unsuspended penalty is payable within three months from the time that PSF is notified that the director has signed the order approving this agreement.

3. In the event PSF violates the Alaska insurance laws during the next two calendar years, the suspended portion of the penalty referenced in paragraph 2 will be reinstated. PSF also will be subject to any and all sanctions authorized by the insurance laws including imposition of additional penalties.

4. By signing this agreement, PSF understands and agrees that any failure to comply with the terms of this agreement may be grounds to revoke, suspend, or non-renew Alaska surplus lines broker and firm insurance producer license #7868.

5. PSF understands that this agreement is not binding on the parties unless and until the director signs the order approving the agreement.

DATED: 11/8/11

DIVISION OF INSURANCE


By: Rebecca Nesheim
Rebecca Nesheim
Tax Auditor

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF INSURANCE
550 WEST SEVENTH AVENUE, SUITE 1560
ANCHORAGE, ALASKA 99501-3567
PHONE: (907) 269-7900
FAX: (907) 269-7910
TDD: (907) 465-5437

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

DATED: 11/3/11


PARKER, SMITH & FEEK, INC.

By: 
Jana L. Smith
Compliance Officer

ORDER

IT IS ORDERED that this Stipulated Agreement and Order is adopted in full resolution of the issues in this case, and shall constitute the final order in this matter.

DATED this 14th day of November, 2011.


Linda S. Hall
Director

RECEIVED
NOV 07 2011
SOA - DCCED
DIVISION OF INSURANCE
JUNEAU OFFICE