

**STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION**

In the Matter of **John L. Jenkins**

) **STIPULATION** and
) **FINAL ORDER**
) Case No. INS 06-06-010

STIPULATION

The Director of the Oregon Department of Consumer and Business Services (director) commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take enforcement action against John L. Jenkins (Jenkins).

Jenkins desires to conclude this proceeding without a hearing by entering into this stipulation pursuant to ORS 183.415(5).

Jenkins waives all rights relative to an administrative hearing and judicial review thereof.

Jenkins stipulates to the following facts, conclusions, action, and to the issuance of a final order incorporating this stipulation.

Facts and Conclusions

Licensing Information

Jenkins has been licensed in Oregon as a resident individual insurance adjuster since 6/23/95. Jenkins's last recorded residence and business address is located in Portland, Oregon.

Acted Incompetently or Untrustworthily

Jenkins is subject to enforcement action pursuant to ORS 744.013(2)(a) because of the following circumstances. ORS 744.013(2)(a) prohibits a person who has applied for a license or is licensed in Oregon as an insurance adjuster from acting incompetently or untrustworthily.

At all relevant times, Jenkins knew that he was not licensed as an insurance adjuster in Washington and Idaho, and knew or should have known that he was required to be so licensed before adjusting insurance claims in those states.

Nevertheless, in 2004 and 2005, Jenkins, on behalf of NW Claims Service, Inc. dba Northwest Insurance Consultants (NWCS), adjusted 17 claims in Washington and three claims in Idaho under insurance policies issued by Zurich American Insurance Company (Zurich). Zurich paid Jenkins about \$17,338.00 for adjusting the claims. Jenkins became licensed as an insurance adjuster in Idaho on 3/2/06 and in Washington on 4/26/06.

At all relevant times, Jenkins knew that he was not licensed as an insurance adjuster in Washington, knew or should have known that he was never issued a license for OSHA Hazardous Waste Operation and Emergency Response or as an EIFS-Third Party Inspector, and was never a member of the Society of Claims Law Associates. Nevertheless, from March to December 2005, Jenkins, on behalf of NWCS, created and maintained an internet website that represented that Jenkins had the above licenses and professional credentials.

Action

Pursuant to ORS 731.988, Jenkins is assessed a civil penalty of \$2,000. The payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. The payment shall be delivered to the Insurance Division at the Labor and Industries Building, 350 Winter Street NE, Room 440 (4th Floor), Salem, Oregon; or mailed to the Insurance Division at PO Box 14480, Salem, OR 97309-0405. The payment shall be *received* by the Insurance Division by the date of the final order.

Dated July 26, 2006

/s/ John L. Jenkins
John L. Jenkins

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FINAL ORDER

The director incorporates herein the above stipulation, adopts it as the director's final decision in this proceeding, and orders that the action stated therein be taken.

Dated August 22, 2006

/s/ Joel Ario
Joel Ario
Administrator
Insurance Division
Department of Consumer and Business Services

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