

**BEFORE ALLAN L. MCVEY, INSURANCE COMMISSIONER
OF THE STATE OF WEST VIRGINIA**

In re: Richard Kennell

Administrative Proceeding No. 23-IC-02200

CONSENT ORDER

In lieu of holding an Administrative Hearing in this matter, the parties hereto have reached an accord and desire an agreed Consent Order to be entered accordingly. Richard Kennell, Independent adjuster license #2075432, understands and agrees that by consenting to this Consent Order he waives all rights to an administrative hearing and to judicial review of this matter. Richard Kennell understands and agrees that by consenting to this Order he is agreeing to an administrative action being taken against his independent adjuster license.

The Insurance Commissioner for the State of West Virginia (hereinafter “Commissioner”) believes the entry of this Consent Order is appropriate and in the public interest.

JURISDICTION

The Commissioner has jurisdiction over the subject matter of this action and over Richard Kennell, pursuant to W.Va. Code §§ 33-12B-1, *et seq.*

APPLICABILITY

This consent order applies to Richard Kennell Independent adjuster license #2075432, issued pursuant to Chapter 33, Article 12B of the West Virginia Code.

EFFECT ON THIRD PARTIES

This consent order does not vest standing in any third party with respect to the terms hereof, nor create for any person, other than the parties hereto, a right to enforce its terms.

ALLEGED FACTS

The Commissioner received evidence that Richard Kennell was practicing as an unlicensed independent adjuster from June 1, 2021, until May 30, 2023. Mr. Kennell self-reported to the Commissioner that he mistakenly failed to renew his adjuster license in May of 2021 and continued to work as an independent adjuster thereafter. Mr. Kennell discovered the mistake when he attempted to renew his license in May of 2023. Mr. Kennell reapplied for his adjuster license in June of 2023 and was relicensed within ten days from the discovery of the mistake.

AGREED ACTION

By executing this Consent Order, Richard Kennell consents to the entry of this order against him. In addition, he acknowledges that the Insurance Commissioner has amassed such evidence that the Commissioner might prevail at a hearing against him resulting in the revocation or suspension of his license and the imposition of a civil fine or penalty pursuant to W.Va. Code § 33-12B-11. Accordingly, **Richard Kennell consents to pay a monetary fine of Two-Hundred and Fifty Dollars (\$250.00).**

FINAL DISPOSITION

This Consent Order shall constitute the final disposition of Commissioner administrative proceeding 23-IC-02200.

MISCELLANEOUS PROVISIONS

Jurisdiction of this case is retained for enforcement of this consent order. Any party hereto may apply to the Commissioner for such further orders and directions as may be necessary or appropriate for the construction and enforcement of this consent order. The remedies in this consent order are cumulative and in addition to any other remedies the Insurance Commissioner


may have at law or equity. Nothing herein shall be construed to prevent the Commissioner from bringing any action for conduct not released hereunder, even though that conduct may also violate this consent order.

Richard Kennell understands that this is an action taken against his license and will be reported to the RIRS database maintained by The National Association of Insurance Commissioners (NAIC).

ORDER

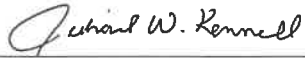
WHEREFORE, based upon the foregoing, it is the finding of the Insurance Commissioner that Richard Kennell violated W. Va. Code § 33-12B-11(d)(2) by acting as an independent adjuster without a valid license. *See* W. Va. Code § 33-12B-2(a). It is, therefore, further **ORDERED** that Richard Kennell shall pay a penalty to the State of West Virginia in the amount of **Two-Hundred and Fifty Dollars (\$250.00) within thirty (30) days of the date of this Order.**

Entered on this 14th day of July 2023.



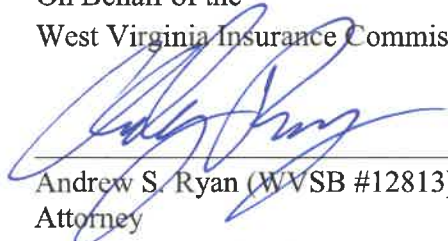
ALLAN L. MCVEY, CPCU, ARM, AAI, AAM, AIS
INSURANCE COMMISSIONER

Agreed To:



Richard Kennell 07 / 07 / 2023
West Virginia Independent Adjuster
#2075432

On Behalf of the
West Virginia Insurance Commissioner



Andrew S. Ryan (WVSB #12813)
Attorney
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