

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

*In the Matter of:*

**INDEPENDENCE PET INSURANCE COMPANY (NAIC #17543)**

Administrative Proceeding No. 25-IC-184093

**ORDER ASSESSING CIVIL PENALTY**

The undersigned, Allan L. McVey, is the Insurance Commissioner (Commissioner”) of the State of West Virginia Offices of the Insurance Commissioner (“OIC”) and is charged with enforcing Chapter 33 of the *West Virginia Code*. Independence Pet Insurance (“Respondent”), a Delaware domiciled insurance company, is licensed to transact business in the State of West Virginia, pursuant to *West Virginia Code*, under a Certificate of Authority (“COA”) issued by the Insurance Commissioner. Independence Pet Insurance is subject to licensing under Article 3, Chapter 33 of the *West Virginia Code*, related legislative rules and the authority of the Commissioner, as a foreign insurance company.

FINDINGS OF FACT

1. On August 11, 2025, Complainant Karen Dillon filed a first-party complaint with the OIC regarding denied claims.
2. On August 13, 2025, Insurance Complaints Specialist Becky Veltri emailed a letter to Respondent, requiring a detailed response and documented evidence to substantiate Respondent’s position within fifteen days.
3. On September 5, 2025, Ms. Veltri emailed a letter to Respondent stating that the OIC had not received a response and requested that a current status report be provided within ten working days.

4. On September 23, 2025 the complaint was provided to Regulatory Compliance & Enforcement within the OIC for investigation.

5. On November 4, 2025 a letter was emailed to Amanda Ackerman, Compliance Specialist for Independence Pet Group, notifying Respondent that they may be in violation of W.Va. Code R. § 114-14-5.2 for failure to respond.

6. On November 13, 2025 a response to the complaint was provided along with an explanation that the Respondent had thought they had previously emailed a response to Ms. Veltri.

7. On November 21, 2025, the OIC Legal Division sent an email to Ms. Ackerman requesting a copy of the complete claim file and declarations page for further investigation.

8. On December 10, 2025 a second email was sent to Ms. Ackerman requesting a copy of the complete claim file and declarations page.

9. As of January 8, 2026, the OIC has not received a response from the Respondent.

#### CONCLUSIONS OF LAW

1. The Commissioner has jurisdiction over the subject matter and the parties to this proceeding.

2. The Commissioner is charged with the responsibility of verifying Independence Pet Insurance Company complies with West Virginia Law.

3. W.Va. Code R §114-14-5.2 Answer of inquiries from Insurance Commissioner states “Every insurer, producer or other licensee, upon receipt of any inquiry other than a notice of third-party administrative complaint from the Insurance Commissioner shall, within fifteen (15) working days of the date appearing on the inquiry, furnish the Commissioner with a complete

written response to the inquiry. A “complete written response” addresses all issues raised by the claimant or the Commissioner and includes copies of any documentation requested.”

4. *West Virginia Code* § 33-3-11 provides that the Commissioner may, after notice and hearing, refuse to renew, or may revoke or suspend the license of an insurer, if the insurer violates any provision of Chapter 33 other than those as to which refusal, suspension or revocation is mandatory or fails to comply with any lawful rule, regulation or order of the Commissioner. However, *West Virginia Code* § 33-3-11(b) provides that, in lieu of taking action under *West Virginia Code* § 33-3-11(a), in any case except which such action is mandatory, the Commissioner may, by order, require the insurer to pay a penalty in a sum not exceeding ten thousand dollars (\$10,000).

5. The Commissioner has determined that Independence Pet Insurance company should be assessed a monetary penalty for failing to respond within fifteen working days.

#### ORDER

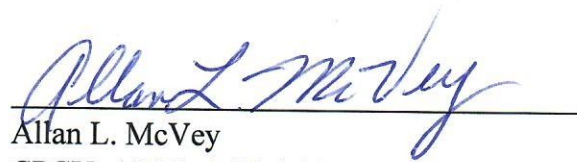
The Commissioner hereby finds and concludes that Independence Pet Insurance Company violated W.Va. Code R. § 114-14-5.2 by failing to inquiries within fifteen working days.

It is, therefore **ORDERED**, that a civil penalty in the amount of One Thousand Dollars (\$1,000.00) be, and it is, assessed against Independence Pet Insurance Company, for the aforesaid violations. It is further **ORDERED** that the civil penalty, totaling One Thousand Dollars (\$1,000), shall be paid within 30 days after notice of this Order and that all documentation previously requested by the OIC Legal Division be provided within fifteen days.

Pursuant to *West Virginia Code* §33-3-11, if Independence Pet Insurance Company fails to pay such penalty within 30 days after notice of this Order, the company's license will be subject to revocation or suspension or further penalties.

A party aggrieved by this Order may make a written demand for a hearing pursuant to W.Va. Code § 33-2-13. Such demand shall specify the grounds to be relied upon as a basis for the relief to be requested at such hearing.

Entered this 12<sup>th</sup> day of January, 2026.

  
Allan L. McVey  
CPCU, ARM, AAI, AAM, AIS  
Insurance Commissioner