

BEFORE JAMES A. DODRILL, INSURANCE COMMISSIONER  
OF THE STATE OF WEST VIRGINIA

**GLENN MACHER**

Complainant,

v.

ADMINISTRATIVE PROCEEDING NO. 20-FP-CC-02027

**PROPERTY & CASUALTY INSURANCE  
COMPANY OF HARTFORD**

Respondent.

FINAL ORDER

On a prior day, to-wit, February 24, 2021, the Hearing Examiner in this matter submitted his Recommended Decision, appended hereto, containing findings of fact, discussion, analysis, and conclusions of law. After review, thereof, it is **ORDERED** that the said Recommended Decision is adopted as the decision of the Commissioner in this matter and is, by this reference, incorporated herein and made a part hereof.

It is further **ORDERED** that, inasmuch as it has been determined that the Respondent violated *W. Va. Code* § 33-6A-1(a)(4)(A), Respondent shall reinstate the Complainant's insurance policy at the Complainant's discretion, provided that, pursuant to *W. Va. Code* §§ 33-6-31(a) and 33-6-31h, the Respondent may, if necessary, specifically exclude a driver by a restrictive endorsement to the policy.

It is further **ORDERED** that, pursuant to *W. Va. Code* §33-3-11(b), the Respondent shall, within 30 days of receipt of this Order, pay a penalty to the State of West Virginia in the amount of Five-Thousand Dollars (\$5,000.00) for its violation of the *West Virginia Code* as set forth in the Recommended Decision.

It is further **ORDERED** that this matter be, and it is hereby, referred to the Insurance Commissioner's Rates and Form Division to review Respondent's underwriting guidelines for private passenger automobile liability policies in West Virginia to ensure the guidelines comport with West Virginia law and generally accepted underwriting principles.

It is further **ORDERED** that this matter be, and it is hereby, referred to the Insurance Commissioner's Market Conduct Division to conduct a targeted market conduct examination of the Respondent pertaining to Respondent's cancellation of automobile insurance policies under *W.Va. Code §33-6A-1*.

The objections of any party aggrieved by this Order and the Recommended Decision herein adopted are preserved.

ENTERED this 5<sup>th</sup> day of May, 2021.

  
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JAMES A. DODRILL  
Insurance Commissioner