

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
DIVISION OF INSURANCE
1511 PONTIAC AVE., 69-2
CRANSTON, RI 02920**

IN THE MATTER OF:

**WILLIAM RICHARD L'EUROPA
and EXECUTIVE PUBLIC ADJUSTERS,**

Respondents.

:
:
:
: **DBR No. 17IN021**
:
:
:
:

CONSENT AGREEMENT

The Department of Business Regulation (“Department”) enters into this Consent Agreement with William Richard L’Europa (“Respondent”) to resolve the above-captioned matter pursuant to its authority under R.I. Gen. Laws § 42-35-9(d).

1. In accordance with R.I. Gen. Laws § 27-10-1.2 *et seq.* Respondent was licensed by the Department and possessed Public Adjuster License No. 2332235 (“License”), effective on April 29, 2016, which had an expiration date of June 30, 2018 and which has been renewed. Executive Public Adjusters (“EPA”) has never possessed a business entity license issued by the Department.
2. On July 24, 2017, the Department’s Division of Insurance (“Division”) received an EPA contract (“Contract”) raising several concerns regarding the Respondent L’Europa’s public adjuster activity. On August 7, 2017 the Department received a complaint (“Complaint”), which outlined further concerns regarding service and representation. Ultimately, the Department filed an *Order to Show Cause Why Orders Should Not Issue to Revoke License, to Cease and Desist Unlawful Activity and to Pay Penalties; Notice of Hearing and Appointment of Hearing Officer* (“Order”) on September 13, 2017.
3. As summarized in the Order¹, Respondent’s Contract was lacking in identifying public adjuster information, including Respondent’s License number, his printed name, his address, and his permanent home state business phone number. Secondly, the Respondent continued to participate with Craig Martin² in the administration and operation of EPA after Martin’s public adjuster license was revoked; Respondent represents he was unaware of that revocation. And finally, the Complainant identified

¹ Order, ¶¶ 6, 7, 8, 9, 11, 16 and 17.

²In the Matter of Craig A. Martin, DBR No. 15IN003, decision issued March 17, 2017 revoking Mr. Martin’s public adjuster license. http://www.dbr.state.ri.us/documents/decisions/INS_DecisionOrderofRevocation-Martin.pdf.

that the Respondent did not act in accordance with 230-RICR-20-50-4, *Insurance Claim Adjusters*, in the handling of her claim.

Applicable Law

4. R.I. Gen. Laws § 27-10-12(a) specifically outlines the sanctions the Insurance Commissioner may pursue if a public adjuster's actions fall into specific categories, including subsection twelve (12) "Knowingly accepting insurance business from an individual who is not licensed but who is required to be licensed by the department."
5. 230-RICR-20-50-4, *Insurance Claim Adjusters*, § 4.11(A)(4) requires that public adjuster contract, among other items, must include: "(1) Legible full name of the adjuster signing the contract, as specified in Department records; (2) Permanent home state business address and phone number; (3) Department license number..."
6. 230-RICR-20-50-4, *Insurance Claim Adjusters*, § 4.11(A)(17) states that "A public adjuster shall not permit an unlicensed employee or representative of the public adjuster to conduct business for which a license is required."

Conditions

7. THEREFORE, based on the foregoing facts, mitigating circumstances, and Respondent's lack of disciplinary history, Respondent and the Department have agreed to an amicable resolution of this matter without an administrative hearing and the attendant time and costs, and as such the Respondent admits and agrees that:
 - a. The facts contained in paragraph 3 of this Consent Agreement are true and accurate;
 - b. As a result of the admission contained in paragraph 7(a), the Respondent's conduct described in paragraph 3 violated the prohibitions contained in R.I. Gen. Laws § 27-10-12(a)(12) and 230-RICR-20-50, §§ 4.11(A)(4) and (17);
 - c. Respondent has ceased his business association as a public adjuster with Craig Martin in EPA, and will wind up all pending EPA matters within sixty (60) days of the signing of this Consent Agreement;
 - e. Respondent will pay an administrative fine of one-thousand, five-hundred dollars (\$1,500.00), payable to the "General Treasurer, State of Rhode Island" within sixty (60) days of the signing of this Consent Agreement.
8. The Department and Respondent agree that this Consent Agreement and its terms represent the final determination of this matter.
9. *Waiver of Hearing and Appeal.* By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives

any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedure Act, R.I. Gen. Laws § 42-35-1 *et seq.*

10. *Enforcement.* If Respondent fails to abide by the terms of this agreement, the Department may institute further administrative action, including but not limited to suspension, revocation and/or additional administrative penalties. Respondent shall be provided with notice and an opportunity for a hearing should the Department choose to take such further action.

11. *Compliance; Laws.* Compliance with the terms of this Consent Agreement does not relieve the Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department or any other governmental agency.

Counsel for the Department and Respondent hereby consent and agree to the foregoing on behalf of their respective clients on this 14th day of December 2018.

Department of Business Regulation
By Its Legal Counsel:

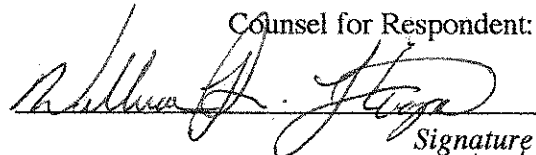


Signature

Date: 12/14/18

Sara Tindall-Woodman, Esq.

Counsel for Respondent:



Signature

Date: 12/14/18

Thomas A. Tarro, III, Esq.