

**State of Rhode Island and Providence Plantations**  
**DEPARTMENT OF BUSINESS REGULATION**  
*Insurance Division*  
**1511 Pontiac Avenue, Bldg. 69-2**  
**Cranston, Rhode Island 02920**

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**IN THE MATTER OF:**

**Vigilant Insurance Company**

**RESPONDENT.**

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**CONSENT AGREEMENT**

It is hereby agreed between the Department of Business Regulation (“Department”) and Vigilant Insurance Company (“Vigilant”) as follows:

1. Respondent is an insurer licensed in the State of Rhode Island to issue property & casualty insurance policies including homeowners’ insurance policies.
2. R.I. Gen. Laws §27-10-1.2 prohibits the adjusting of an insurance claim by any person that does not hold an insurance adjusters license or does not fall within the list of defined exemptions, none of which is relevant in this matter.
3. R.I. Gen Laws s 27-10-8 provides that experienced adjusters may adjust losses on an emergency basis in Rhode Island without a Rhode Island insurance adjuster’s license, if they meet certain criteria. Such emergency adjusters must activate emergency authority through the National Insurance Producer registry (“NIPR”). The Department issued Industry Alert 2015-1 triggering the emergency adjuster statute R.I. Gen. Laws § 27-10-8 effective February 20, 2015.
4. On April 1, 2015 the Department received a consumer complaint alleging the use of an unlicensed adjuster to evaluate a February 16, 2015 homeowner’s property loss.

5. Upon inquiry Respondent confirmed that the adjuster originally assigned to the referenced claim is not licensed in Rhode Island. Respondent was instructed to report back the number of additional non-licensed adjusters it had used to handle claims as a result of the Winter Storms of February 2015. Respondent reported that it used a total of 5 unlicensed adjusters to handle a total of 6 Rhode Island Winter Storm claims. Respondent reported that, while all adjusters met the criteria for emergency handling of claims under Rhode Island law, Respondent neglected through an oversight to register them with the NIPR.

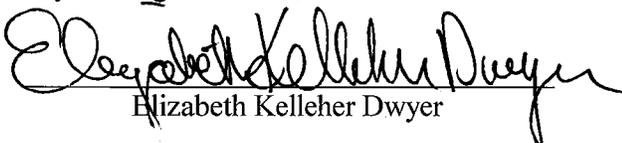
6. Respondent reported that, upon becoming aware of the issue, it reassigned all referenced claims handled by these adjusters, including the claim referenced in the consumer complaint, to licensed Rhode Island Adjusters.

THEREFORE, based on the foregoing, Respondent and the Department have decided to resolve this matter without further administrative proceedings and hereby agree to the following resolution:

1. Respondent has reassigned all 6 of the referenced claims to licensed Rhode Island adjusters.
2. Respondent has now secured an emergency adjuster activation for the adjuster involved in the consumer complaint in accordance with R.I. Gen. Laws § 27-10-8.
3. Insurer has applied for a non-resident license for the adjuster involved in the consumer complaint.
4. Respondent will pay a fine of five thousand dollars (\$5,000).

Counsel for the Department and Respondent hereby consent and agree to the foregoing on behalf of their respective clients the 20 day of August 2015.

Department of Business Regulation  
By its Legal Counsel,

  
Elizabeth Kelleher Dwyer

Vigilant Insurance Company  
By its Assistant Secretary,

  
Colette M. Perri