

FILED

2014 JUN -4 P 12: 52

BEFORE THE STATE OF WASHINGTON  
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:	)	
	)	No. 14-0055
<b>LANDCAR AGENCY, INC.,</b>	)	
	)	ORDER TERMINATING
A Registered Service Contract Provider.	)	PROCEEDINGS
_____	)	

**TO:** Matthew Walker, Director of Finance and Accounting  
 Total Care Auto  
 9350 South 150 East, Suite 1000  
 Sandy, Utah 84070

Wendy M. Kent, Esq.  
 Wiles Law Group LLC  
 510 SW Fifth Avenue, Sixth Floor  
 Portland, OR 97204

**COPY TO:** Mike Kreidler, Insurance Commissioner  
 James T. Odiorne, Chief Deputy Insurance Commissioner  
 William R. Michels, Deputy Commissioner, Company Supervision Division  
 Andrea Philhower, Staff Attorney, Legal Affairs Division  
 AnnaLisa Gellermann, Deputy Commissioner, Legal Affairs Division  
 Office of the Insurance Commissioner  
 PO Box 40255  
 Olympia, WA 98504-0255

On March 21, 2014, the Insurance Commissioner (OIC) issued Order Suspending Certificate of Registration No. 500591, Order No. 14-0055, notifying Matthew Walker, Director of Finance & Accounting for Total Care Auto that the Certificate of Registration, No. 500091, issued to Landcar Agency, Inc. (Landcar) to act as a service contract provider in this state, was suspended effective March 21, 2014 until further notice from the Insurance Commissioner, or for a period of one year, whichever comes first, with further conditions stated in said Order. The OIC ordered the suspension because Landcar's 2013 Annual Report allegedly showed that it was insolvent. Landcar filed a Demand for Hearing to contest the suspension on March 28, 2014.

ORDER TERMINATING PROCEEDINGS

No. 14-0005

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On April 7, 2014, a prehearing conference was held which included all parties. At that time, the parties agreed that the hearing of this matter would be held on June 4, 2014.

Subsequently, Landcar filed with the OIC a 2013 audited financial statement that assured the OIC it was not insolvent. Therefore the OIC issued an Order Rescinding Order Suspending Certificate of Registration No. 500591 on April 30, 2013. On May 8, 2014, Landcar filed a withdrawal of its request for hearing with the Hearings Unit, indicating that the matter had been resolved. Copies of the withdrawal of hearing request and Order Rescinding Order Suspending Certificate of Registration No. 500591 are attached hereto and by this reference made a part hereof.

Based upon the above activity,

**IT IS HEREBY ORDERED** that this proceeding, Docket No. 14-0055, is hereby terminated.

Entered this 3 day of June, 2014, at Seattle, Washington, pursuant to Title 48 RCW, Title 34 RCW and regulations pursuant thereto.

  
\_\_\_\_\_  
Judge George Finkle (ret.)  
Presiding Officer

Declaration of Mailing

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery through normal office mailing custom, a true copy of this document to the following people at their addresses listed above: Matthew Walker, Wendy M. Kent, Esq., Mike Kreidler, James T. Odiorne, William R. Michels, AnnaLisa Gellermann, Esq. and Andrea Philhower, Esq.

DATED this 4<sup>th</sup> day of June, 2014.

  
\_\_\_\_\_  
KELLY A. CAIRNS

**Cairns, Kelly (OIC)**

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**From:** Wendy M. Kent [wmkent@wileslawgroup.com]  
**Sent:** Thursday, May 08, 2014 11:43 AM  
**To:** Cairns, Kelly (OIC); Philhower, Andrea (OIC)  
**Cc:** Trish Madigan  
**Subject:** Landcar Agency Inc

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OIC BUSINESS UNIT  
PATRICIA E. PETERSEN  
CHIEF PRESIDING OFFICER

Dear Ms. Karnes and Ms. Philhower:

I represent Landcar Agency Inc. We had requested a hearing on the Order Suspending Certificate of Registration No. 500591 dated March 21, 2014. This matter has now been resolved and we withdraw our request for hearing. Thank you for your assistance in this matter.

Wendy M. Kent

Wendy M. Kent  
Licensed in Oregon & Washington

Wiles Law Group, LLC  
Caplan Building  
510 SW Fifth Ave., 6th Fl.  
Portland, OR 97204  
(503) 226-3515  
(503) 226-4050  
[wmkent@wileslawgroup.com](mailto:wmkent@wileslawgroup.com)  
[www.wileslawgroup.com](http://www.wileslawgroup.com)

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OFFICE OF  
INSURANCE COMMISSIONER

In the Matter of	)	No. 14-0055
	)	
LANDCAR AGENCY, INC.	)	ORDER RESCINDING
	)	ORDER SUSPENDING CERTIFICATE
	)	OF REGISTRATION NO. 500591

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To: Matthew Walker  
Director of Finance & Accounting  
Total Care Auto  
9350 South 150 East, Suite 1000  
Sandy, Utah 84070

**IT IS ORDERED** and you are hereby notified that Certificate of Registration No. 500591 issued to Landcar Agency, Inc. to act as a service contract provider was suspended by Order No. 14-0055 on March 21, 2014, and is hereby reinstated. This Order is effective April 30, 2014.

**THIS ORDER IS BASED UPON THE FOLLOWING:**

On March 21, 2014, Certificate of Registration No. 500591 issued to Landcar Agency, Inc. was suspended in cause no. 14-0055. The order of suspension was based on the fact that Landcar Agency, Inc. filed its 2013 Annual Report showing that Landcar Agency, Inc. was insolvent.

Subsequently, on April 28, 2014, Landcar Agency, Inc. filed its 2013 audited financial statement providing the assurance that Landcar Agency, Inc. is no longer insolvent as of December 31, 2013.

Chapters 48.04 and 34.05 RCW provide Landcar Agency, Inc. the right to demand a hearing on this order.

SIGNED AND ENTERED this 30th day of April, 2014.



JAMES T. ODIORNE, CPA, JD  
Chief Deputy Insurance Commissioner



CERTIFICATE OF MAILING

The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served the foregoing ORDER RESCINDING ORDER SUSPENDING CERTIFICATE OF REGISTRATION NO. 500591 on the following individuals in the manner indicated:

Matthew Walker  
Director of Finance & Accounting  
Total Care Auto  
9350 South 150 East, Suite 1000  
Sandy, Utah 84070  
Email to: [mwalker@totalcareauto.com](mailto:mwalker@totalcareauto.com)

Daniel W. Applegarth, CFE, CPA, PIR  
Utah Department  
3110 State Office Building  
Salt Lake City, Utah 84114  
Email to: [dapplegarth@utah.gov](mailto:dapplegarth@utah.gov)

Wendy M. Kent  
Wiles Law Group, LLC  
Caplan Building  
510 SW Fifth Avenue, 6<sup>th</sup> Floor  
Portland, Oregon 97204  
Email to: [wmkent@wileslawgroup.com](mailto:wmkent@wileslawgroup.com)

SIGNED this 1st day of May, 2014, at Tumwater, Washington.

  
Susan E. Miller  
Susan E. Miller