

March 4, 2015 **FILED**

2015 MAR -4 P 1:24

To: Washington Office of the Insurance Commissioner, Judge George Finkle (ret)

From: Kyle E. Bradbury

Subject: ORDER NO: 14-0210

To Whom It May Concern,

I am writing a statement in regards to the matter of revoking my license in regards to Whitman PUD HOA (referenced as HOA from here after) insurance. It should be noted that in the entire time I have been an insurance agent I have never had a complaint filed. That includes the 6 years I was an agent here in The State of Washington and when I was an Insurance agent in the State of Oregon with Connecticut Mutual and Mass Mutual from 1994-1998. This entire process has been very confusing since I've never dealt with a scenario such as this before. All while trying to manage running a small business. I am also including all of the documentation I was able to find while I was an agent of American Family Mutual Insurance Company (referenced as AFI from her after). This includes a copy of the quote that was originally run showing exactly the same premium that the HOA paid my office. The name does not exactly match but it's obvious that the HOA didn't pay a random amount. Rather, a very specific amount that matches the quote attached. It does match the name that is on the sign outside of the actual home development, which I have included a photo, and would have been an assumption made when trying to just get a quote from AFI. In the beginning of the investigation into the HOA from the State AFI contacted me and told me they were also going to do an investigation. When I spoke with the representative from AFI I was told that they were in direct communication with the State on everything. I, never being in the situation, assumed that if I was talking to AFI it wasn't needed to duplicate everything while I was busy running the business. The majority of the time I've been in business it was rare that I would take or apply payments. I had up to 3 or 4 employees that were the front line and accept payments as well as release policies. I will now take some time to walk through the comments in the order to revoke that the document says is based on. Please reference notes in the order of numbers 1-4:

1. Yes, I am a resident and held an insurance license.
2. Yes, my agency did accept payment from the HOA. I take exception to the rest of the sentence as I was an agent of AFI and when a client gives our agency a check we have the ability to bind coverage. That is specifically written into my agent agreement so the HOA DID IN FACT have coverage.
3. The HOA did pay our agency \$1236. I have attached a copy of the check that was written and also a copy of the deposit slip that specifically shows it being deposited into my premium trust account at Banner Bank. Since we do have the ability to bind coverage it would be common

practice for my agency to generate a Certificate of Coverage if requested. I, personally, very rarely would generate them, but the staff would put them on the desk and I would just sign them and hand them back. The statement here is incorrect as the HOA did have insurance.

4. I understand completely that we never released the policy and that we generated a certificate although see number 3 above. I do deposit premium into the premium trust account and it is accurate that I didn't review it on a regular basis as there would normally not be any reason to look at it and running the business would take almost all of my time.

In conclusion, through this process I have learned many better practices for submitting, processing and accounting even for the Premium Trust Account. That said, I don't believe the punishment fits the actions. There are a couple of important points. First, the HOA did have coverage. Second, the money was put in my Premium Trust Account. Lastly, there was a quote created and this process of investigation was completely foreign to me.

After the investigation by AFI my agent agreement and agency was terminated. I have accepted that punishment as, really, AFI was the only entity that was aggrieved because AFI never received payment (\$1236) for a policy AFI was at risk for. I believe the decision to take away my license and my ability to earn an income is being punished twice and way too drastic for a mistake that was made in my agency.

I am asking for this case to be dismissed immediately and my license to be reinstated.

Sincerely,

-Kyle E. Bradbury

WAOIC# 733657

NPN 6238675

Attachments:

1. HOA Deposit slip into Premium Trust Account
2. Commercial Lines Quote for HOA (3 pages)
3. Invoice showing matching total premium paid

Quote Ref #Q4618491-01- (If submitting bound applications please include the Quote Ref #.)
Agent Name - Kyle Bradbury
Applicant Name - Eagle Meadows Home Owners Association

The price of the Quick Premium ESTIMATE is not a guaranteed price. If a Guaranteed Quote is desired, please submit completed applications with the required pictures and prior loss history.

ESTIMATED PREMIUM -

Coverage

Coverage Premium

Commercial General Liability
\$636.00

Director's & Officer's Liability
\$150.00

Commercial Umbrella
\$450.00

Total Premium
\$

=SUM(ABOVE) \# "#,##0.00"
1,236.00

QUOTE OPTIONS: \$3mil Umb = \$1350

COMMENTS: Terrorism is not included. Please submit disclosure form if written.

RATING INFO:

LIABILITY (INCL EMPLOYEE BENEFIT AND LIQUOR)

CLASS CODE

CLASS DESCRIPTION

PREMIUM BASIS

09030

HOA

98 homes

CONTROL Forms.CommandButton.1 As

*Printer from jpeg file
sent by email 3-4-15
some contents did not print*

clteam04@amfam.com
Kyle Bradbury
004/358

APPLICANT INFORMATION
Applicant

Eagle Meadows Home Owners Association

Mailing Address
City

547 SE Magnoni Dr
College Place

County
State
Zip Code

Walla Walla
WA
99324

Form of Business
Doing Business As
Additional Policies

Home Owners Association

FORMTEXT
FORMTEXT
FORMTEXT
FORMTEXT
Additional Lines Of Business

Additional Lines Of Business

Other

Home Owners Association

COMMENTS

Need to have a D&O policy quoted for \$1million. Also would like a quote for an Umbrella for \$1million and \$3million. Collected dues for HOA is \$126,000 annual. Current HOA balance is about \$10,000. 98 homes/lots in HOA.

OTHER

Other

Home Owners Association

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Root Entry

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