

LAWRENCE G. WASDEN  
ATTORNEY GENERAL

THOMAS A. DONOVAN  
Deputy Attorney General  
Idaho Department of Insurance  
700 West State Street  
P.O. Box 83720  
Boise, ID 83720-0043  
Telephone: (208) 334-4204  
Facsimile: (208) 334-4298  
I.S.B No. 4377

**FILED** *98*

**MAY 04 2010**

**Department of Insurance  
State of Idaho**

Attorneys for Department of Insurance

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**

**STATE OF IDAHO**

In the Matter of:

OLD RELIANCE INSURANCE  
COMPANY,

Certificate of Authority No. 1695  
NAIC ID No. 67253

Docket No. 18-2465-10

**ORDER OF CONTINUATION OF  
SUSPENSION OF CERTIFICATE OF  
AUTHORITY**

WHEREAS, OLD RELIANCE INSURANCE COMPANY ("OLD RELIANCE"), an Arizona state domiciled insurer licensed for life and disability insurance in the state of Idaho under Certificate of Authority No. 1695, has been suspended by the Department of Insurance, State of Idaho, by orders dated May 21, 2008, and June 9, 2009, pursuant to the provisions of Idaho Code § 41-326(1)(b); and

WHEREAS, OLD RELIANCE is required to have capital of One Million Dollars (\$1,000,000) and surplus of One Million Dollars (\$1,000,000) pursuant to Idaho Code § 41-313; and, as of December 31, 2009, OLD RELIANCE reported capital of One Million Fifty Thousand

Dollars (\$1,050,000) and surplus of Eight Hundred Eighty Three Thousand Six Hundred Seventy-two Dollars (\$883,672), as reflected in its December 31, 2009, Statutory Financial Statement, and therefore no longer meets the requirements for maintaining surplus set forth at Idaho Code § 41-313, and does not meet the requirements for a certificate of authority in the state of Idaho;

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to provisions of Idaho Code § 41-326(1)(b), that Certificate of Authority No. 1695 issued to OLD RELIANCE INSURANCE COMPANY be CONTINUED IN SUSPENSION effective immediately and that, pursuant to this section, said suspension be continued for a period of one (1) year from the date of this order. The Director may terminate the suspension sooner if the cause for said suspension is terminated and OLD RELIANCE is otherwise in compliance with the provisions of Title 41, Idaho Code.

IT IS FURTHER ORDERED that OLD RELIANCE comply with each of the requirements of Idaho Code § 41-329, including § 41-329(2) which states: "During the suspension period the insurer shall not solicit or write any new business in this state, but shall file its annual statement, pay fees, licenses, and taxes as required under this code, and may service its business already in force in this state, as if the certificate of authority had continued in full force."

IT IS FURTHER ORDERED that, within 60 days of the date of this order, OLD RELIANCE file with the Director a complete listing of its policies owned by or issued to residents of the State of Idaho current as of the date of this order, notwithstanding any such listings previously submitted. Such list shall include the name and address of each policyholder and insured, policy type, face amount, and cash surrender value of the policy, as applicable.

### **NOTIFICATION OF RIGHTS**

This is a final order of the agency. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5246(4), Idaho Code.

Pursuant to Sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho, or
- iv. The real property or personal property that was the subject of the agency action is located.

An appeal must be filed within twenty-eight (28) days (a) of this final order, (b) of an order denying any petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

DATED this 3<sup>RD</sup> day of May 2010.

  
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WILLIAM W. DEAL  
Director

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have on this 4th day of May 2010, caused a true and correct copy of the foregoing order to be served upon the following by the designated means:

Old Reliance Insurance Company  
1295 Kelly Johnson Blvd. #100  
Colorado Springs, CO 80920

- ☒ first class mail
- ☒ certified mail
- ☐ hand delivery
- ☐ via facsimile

Candie Kinch  
Idaho Life & Health Guaranty Association  
4700 N. Cloverdale Rd., Ste 204  
Boise, ID 83713-1068  
[ckinch@idlifega.org](mailto:ckinch@idlifega.org)

- ☐ first class mail
- ☐ certified mail
- ☐ hand delivery
- ☒ via email

Thomas A. Donovan  
Deputy Attorney General  
Idaho Department of Insurance  
P.O. Box 83720  
Boise, ID 83720-0043

- ☐ first class mail
- ☐ certified mail
- ☒ hand delivery
- ☐ via facsimile

  
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Teresa Jones  
Assistant to the Director