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NOV 26 2012

Department of Insurance
State of Idaho

Attorneys for Department of Insurance

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE
OF THE STATE OF IDAHO**

In the Matter of:

AMERICAN COMMUNITY MUTUAL
INSURANCE COMPANY,

Certificate of Authority No. 3697
NAIC No. 60305

Docket No. 18-2609-12

**ORDER CONTINUING SUSPENSION
OF CERTIFICATE OF AUTHORITY**

WHEREAS, Certificate of Authority No. 3697 issued to AMERICAN COMMUNITY MUTUAL INSURANCE COMPANY (AMERICAN COMMUNITY), a Michigan-domiciled insurer licensed for life and disability insurance in the state of Idaho under said certificate of authority, has been suspended by the Director of the Idaho Department of Insurance (Director) by orders dated April 14, 2010; March 2, 2011; and January 25, 2012; and

WHEREAS, AMERICAN COMMUNITY was placed into rehabilitation on April 8, 2010, by order of the Circuit Court for the 30th Judicial District, Ingham County, State of Michigan, in Case No. 10-397-CR, based on the petition of the Commissioner of the Office of

Financial and Insurance Regulation of the State of Michigan and the consent of the Board of Directors of AMERICAN COMMUNITY;

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Idaho Code § 41-327(3), that Certificate of Authority No. 3697 issued to AMERICAN COMMUNITY be CONTINUED IN SUSPENSION, effective immediately, 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 corrected and AMERICAN COMMUNITY is otherwise in compliance with title 41, Idaho Code.

IT IS FURTHER ORDERED that AMERICAN COMMUNITY comply with the requirements of Idaho Code § 41-329, including § 41-329(2), which provides: "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, pursuant to Idaho Code § 41-330(1), that, within four (4) days after notice of this suspension is provided, AMERICAN COMMUNITY shall notify, by any available means, every person authorized to write business in the state of Idaho by said insurance company, to immediately cease to write any further insurance business for AMERICAN COMMUNITY in Idaho.

IT IS FURTHER ORDERED that, within sixty (60) days of the date of this order, AMERICAN COMMUNITY 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 Director. 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* Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, 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 of (a) the service date of this final order, (b) an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. *See* Idaho Code § 67-5273. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

DATED this 26TH day of November, 2012.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



WILLIAM W. DEAL
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 26 day of November, 2012, I caused a true and correct copy of the foregoing ORDER CONTINUING SUSPENSION OF CERTIFICATE OF AUTHORITY to be served upon the following by the designated means:

American Community Mutual Insurance Company
39201 Seven Mile Road
Livonia, MI 48152-1094

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

Candie Kinch
Idaho Life and Health Guaranty Association
3355 N. Five Mile Road #210
Boise, ID 83713
ckinch@idlifega.org

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

A. René Martin
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- ☐ first class mail
- ☐ certified mail
- ☒ hand delivery
- ☐ via facsimile


Teresa Jones