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FILED

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Department of Insurance
State of Idaho

Attorneys for the Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

IDAHO DEPARTMENT OF INSURANCE,

Complainant,

vs.

DEBRA MAY WEST, an individual holding
Idaho Non-Resident Public Adjuster License
No. 518307; **RHONDA JEAN SHEETS**, an
individual holding Idaho Resident Public
Adjuster License No. 296928; and **DAVID**
WEST, an unlicensed individual,

Respondents.

Docket No. 18-3067-15

**STIPULATION
AND FINAL ORDER**

STIPULATION

The Idaho Department of Insurance (hereinafter "Department") and Respondents
DEBRA MAY WEST (hereinafter "Debra West"), RHONDA JEAN SHEETS (hereinafter

“Rhonda Sheets”), and DAVID WEST (hereinafter “David West”) hereby agree and stipulate as follows:

1. The Director of the Department has jurisdiction over this matter pursuant to title 41, Idaho Code.

2. On July 7, 2015, the Department filed and served a *Verified Complaint and Notification of Rights* (hereinafter “Verified Complaint”) on Respondents Debra West, Rhonda Sheets, and David West.

3. With regard to Count One of the Verified Complaint, the Department alleged that Respondent Debra West acted as a public adjuster in the state of Idaho without being properly licensed, contrary to section 41-5803(1), Idaho Code, on five (5) occasions. As to Count One, Respondent Debra West denied these allegations.

4. With regard to Count Two of the Verified Complaint, the Department alleged that Respondent Debra West failed to fully respond to Department inquiries sent to her pursuant to section 41-247, Idaho Code, on two (2) occasions. As to Count Two, Respondent Debra West denied these allegations.

5. With regard to Count Three of the Verified Complaint, the Department alleged that Respondent David West acted as a public adjuster in the state of Idaho without being properly licensed, contrary to section 41-5803(1), Idaho Code, on one (1) occasion. As to Count Three, Respondent David West denied this allegation.

6. With regard to Count Four of the Verified Complaint, the Department alleged that Respondent Rhonda Sheets permitted an unlicensed representative to conduct business as a public adjuster within the state of Idaho, contrary to section 41-5818(3), Idaho Code, on one (1) occasion. As to Count Four, Respondent Rhonda Sheets denied this allegation.

7. The Respondents responded to the Verified Complaint by filing a motion to extend the time for filing a request for hearing for sixty (60) days in order to complete further investigation. The Department did not object to the request for extension of time but asked the Director to consider the Respondents' motion as a request for hearing and to appoint a hearing officer.

8. On August 14, 2015, the Director entered an order granting in part the Respondents' motion for extension of time and granting the Department's motion to appoint a hearing officer.

9. In consideration of the foregoing recitals, the Department and Respondents agree:

a. That Respondent Debra West admits to one (1) violation of section 41-5803(1), Idaho Code.

b. That Respondent Debra West's Idaho Non-Resident Public Adjuster License No. 518307 shall be suspended commencing on the date the final order is entered and continuing through February 28, 2017.

c. That Respondent Debra West's Idaho Non-Resident Public Adjuster License No. 518307 will not be automatically reinstated at the end of the suspension period.

d. That Respondent Debra West agrees not to apply for a new non-resident or resident public adjuster license with the Idaho Department of Insurance for one (1) year after the suspension period ends.

e. That an administrative fine be imposed against Debra West in the amount of Five Thousand Dollars (\$5,000.00) due and payable no later than February 28, 2017.

f. That the Idaho Department of Insurance shall not consider any application for a public adjuster license from Respondent Debra West until such time that the administrative penalty imposed herein is paid in full.

g. That Respondent Debra West shall not have any business affiliation with Respondent Rhonda Sheets or Northwest Public Adjusters in the State of Idaho during the suspension period imposed.

h. That Respondent David West admits to one (1) violation of section 41-5803(1), Idaho Code.

i. That an administrative penalty shall be imposed against Respondent David West in the amount of Five Hundred Dollars (\$500.00).

j. That the Idaho Department of Insurance shall not consider any application for a public adjuster license from Respondent David West until such time that the administrative penalty imposed herein is paid in full.

k. That Respondent Rhonda Sheets admits to one (1) violation of section 41-5818(3), Idaho Code.

l. That an administrative penalty shall be imposed against Respondent Rhonda Sheets in the amount of Five Hundred Dollars (\$500.00).

10. The terms of this Stipulation are appropriate and proper under the circumstances referenced herein, and the parties hereto have entered into this Stipulation knowingly, voluntarily, and with full knowledge of any rights they may be waiving thereby.

11. Before executing this Stipulation, Respondents Debra West, Rhonda Sheets, and David West have had the opportunity to review this Stipulation with their respective attorney and to seek appropriate advice and counsel relating to this Stipulation and Final Order.

12. The parties hereto waive their right to notice and hearing at which they may be represented by counsel, present evidence, and examine witnesses. The parties hereto further waive their right of reconsideration, appeal, and other rights as set forth in title 67, chapter 52, Idaho Code, including the right to submit this matter for review by a court of competent jurisdiction.

13. The parties hereto have reviewed the proposed Final Order and agree as to its form and that said Final Order may be submitted to the Director of the Department for his review and signature.

IT IS SO AGREED.

DATED THIS 1st ^{February} day of ~~January~~, 2016.

RESPONDENT DEBRA MAY WEST

By: 
DEBRA MAY WEST

IT IS SO AGREED.

DATED THIS 14th day of January, 2016.

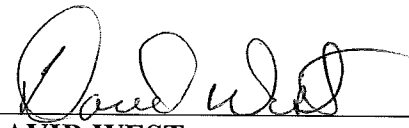
RESPONDENT RHONDA JEAN SHEETS

By: 
RHONDA JEAN SHEETS

IT IS SO AGREED.

DATED THIS 1st ^{February} day of ~~January~~, 2016.

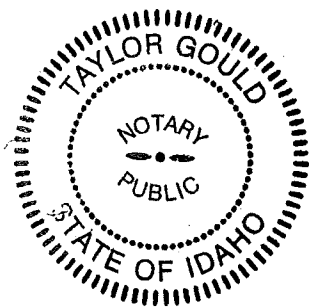
RESPONDENT DAVID WEST

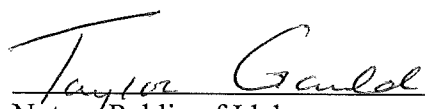
By: 
DAVID WEST

STATE OF IDAHO)
 : ss.
County of Jefferson)

On this 1 day of ~~January~~ ^{February}, 2016, before me, the undersigned Notary Public, personally appeared **DEBRA MAY WEST**, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same on the two signature lines as identified above.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

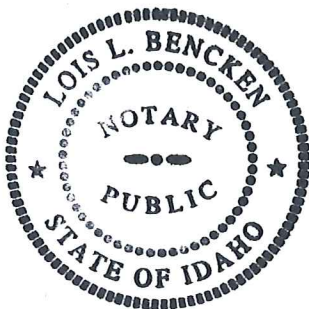



Notary Public of Idaho
Residing at Bonneville County
My commission expires July 20, 2021

STATE OF IDAHO)
 : ss.
County of Ada)

On this 14th day of January, 2016, before me, the undersigned Notary Public, personally appeared **RHONDA JEAN SHEETS**, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same on the two signature lines as identified above.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

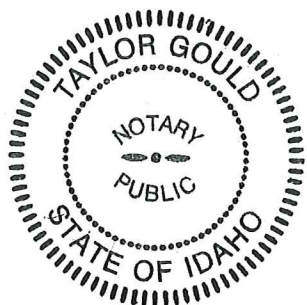


Lois L Bencken
Notary Public of Idaho
Residing at Bonne Id
My commission expires 10-2-18

STATE OF IDAHO)
 : ss.
County of Jefferson)

On this 1 day of ~~January~~ ^{February}, 2016, before me, the undersigned Notary Public, personally appeared **DAVID WEST**, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on the two signature lines as identified above.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Taylor Gould
Notary Public of Idaho
Residing at Bonneville County
My commission expires July 20, 2021

IT IS SO AGREED.

DATED THIS 7 day of January, 2016.

STATE OF IDAHO
DEPARTMENT OF INSURANCE

By: Elaine Mellon
ELAINE MELLON
Bureau Chief, Consumer Services Bureau

STATE OF IDAHO)
: ss.
County of Ada 7th)

On this 7 day of January, 2016, before me, the undersigned Notary Public, personally appeared **ELAINE MELLON**, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
Notary Public of Idaho
Residing at BOISE
My commission expires 30 OCT 2019

FINAL ORDER

The parties hereto, namely the Idaho Department of Insurance and Respondents DEBRA MAY WEST, RHONDA JEAN SHEETS, and DAVID WEST, having entered into the foregoing Stipulation, and the form of the order having been approved; the Director, having reviewed the same, does hereby find that there is a factual basis for entry of a Final Order herein and does hereby conclude that Respondents DEBRA MAY WEST, RHONDA JEAN SHEETS, and DAVID WEST did violate title 41, Idaho Code, as set forth in the Stipulation.

NOW, THEREFORE, based on the foregoing and in consideration of the premises,

IT IS HEREBY ORDERED that the foregoing Stipulation is approved and is incorporated herein as if set forth in full and made a part hereof;

IT IS FURTHER ORDERED that Idaho Non-Resident Public Adjuster License No. 518307 issued to DEBRA MAY WEST is hereby SUSPENDED through February 28, 2017;

IT IS FURTHER ORDERED that Idaho Non-Resident Public Adjuster License No. 518307 issued to DEBRA MAY WEST shall not be reinstated automatically at the end of the suspension period ending on February 28, 2017;

IT IS FURTHER ORDERED that Respondent DEBRA MAY WEST shall not submit an application for a new public adjuster license with the Idaho Department of Insurance for one (1) year after the suspension period ends;

IT IS FURTHER ORDERED that an administrative penalty in the total amount of Five Thousand Dollars (\$5,000.00) is hereby imposed against Respondent DEBRA MAY WEST, due and payable by no later than February 28, 2017;

IT IS FURTHER ORDERED the Idaho Department of Insurance shall not consider an application for a public adjuster license from Respondent DEBRA MAY WEST until such time that the administrative penalty imposed hereinabove has been paid in full;

IT IS FURTHER ORDERED that Respondent DEBRA MAY WEST shall have no business affiliation in the State of Idaho with Respondent Rhonda Jean Sheets or Northwest Public Adjusting during the period of suspension;

IT IS FURTHER ORDERED that an administrative penalty in the total amount of Five Hundred Dollars (\$500.00) is hereby imposed against Respondent DAVID WEST;

IT IS FURTHER ORDERED that the Idaho Department of Insurance shall not consider any application for a public adjuster license from Respondent DAVID WEST until such time that the administrative penalty imposed against him herein is paid in full; and

IT IS FURTHER ORDERED that an administrative penalty in the total amount of Five Hundred Dollars (\$500.00) is hereby imposed against Respondent RHONDA JEAN SHEETS.

IT IS SO ORDERED.

DATED THIS 11 day of February, 2016.

STATE OF IDAHO
DEPARTMENT OF INSURANCE

By 
DEAN L. CAMERON
Director

NOTIFICATION REGARDING REPORTABLE PROCEEDINGS

This is considered a reportable administrative proceeding. As such, it is a public record and is public information that may be disclosed to other states and reported to companies of which you are actively appointed. This information will be reported to the National Association of Insurance Commissioners (NAIC) and will appear in the Idaho Department of Insurance's

online searchable database. Be aware that this proceeding must be disclosed on any license application and must be reported to any and all states in which you hold an insurance license.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11 day of February, 2016, I caused a true and correct copy of the foregoing fully-executed **STIPULATION AND FINAL ORDER** to be served upon the following by the designated means:

T. Guy Hallam, Esq.
Kormanik Hallam & Sneed
206 W. Jefferson Street
Boise, ID 83702

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

David E. Wynkoop
Hearing Officer
Sherer & Wynkoop, LLP
P.O. Box 31
Meridian, ID 83680-0031

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

John C. Keenan
Deputy Attorney General
Idaho Department of Insurance
700 W. State Street, 3rd Floor
P.O. Box 83720
Boise, ID 83720-0043

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



Kelly Grady