

FILED
JUL 01 2021
Department of Insurance
State of Idaho

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

In the Matter of:

AMERICAN SERVICE INSURANCE
COMPANY, INC.

Certificate of Authority No. 3584
NAIC No. 42897

Docket No. 18-3808-21

**ORDER CONTINUING SUSPENSION
OF CERTIFICATE OF AUTHORITY**

Idaho Certificate of Authority No. 3584 issued to AMERICAN SERVICE INSURANCE COMPANY, INC. ("AMERICAN SERVICE"), an Illinois-domiciled insurer licensed to transact property, surety, marine and transportation, and casualty insurance, excluding workers' compensation, in the state of Idaho under said certificate of authority, was suspended by the Director of the Idaho Department of Insurance ("Director") by order entered August 26, 2020.

On August 11, 2020, AMERICAN SERVICE was placed under an Agreed Order of Liquidation with a Finding of Insolvency by the Circuit Court of Cook County, Illinois, County Department, Chancery Division, in Case No. 19 CH 7852, based upon the petition of the Illinois Insurance Director and the consent of the AMERICAN SERVICE shareholders. AMERICAN SERVICE remains under such liquidation order.

Idaho Code § 41-327(3) provides that the Director may, without advance notice or hearing, “immediately suspend the certificate of authority of any insurer as to which proceedings for receivership, conservatorship, rehabilitation, or other delinquency proceedings, have been commenced in any state by the public insurance supervisory official of such state.”

The Director, having reviewed the foregoing and the requirements of Idaho Code § 41-327(3), hereby finds that AMERICAN SERVICE is subject to delinquency proceedings within the meaning of Idaho Code § 41-327(3). Based on these findings, and good cause appearing therefor;

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Idaho Code § 41-327(3), that Certificate of Authority No. 3584 issued to AMERICAN SERVICE is 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 SERVICE is otherwise in compliance with title 41, Idaho Code.

IT IS FURTHER ORDERED that AMERICAN SERVICE shall comply with 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 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 SERVICE 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 SERVICE in Idaho.

IT IS FURTHER ORDERED that AMERICAN SERVICE shall promptly return Certificate of Authority No. 3584 to the Idaho Department of Insurance, as required by Idaho Code § 41-323(2).

DATED this 1st day of July, 2021.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



DEAN L. CAMERON
Director

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 motion for reconsideration within twenty-one (21) days of its receipt, or the motion will be considered denied by operation of law. See Idaho Code § 67-5246(4).

Any such motion for reconsideration shall be served on the Director of the Idaho Department of Insurance, addressed as follows:

Dean L. Cameron, Director
Idaho Department of Insurance
700 W. State Street, 3rd Floor
P.O. Box 83720
Boise, ID 83720-0043

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may file a petition for judicial review 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.

A petition for judicial review must be filed within twenty-eight (28) days of: (a) the service date of this final order, (b) the service of an order denying motion for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a motion for reconsideration, whichever is later. See Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of July, 2021, 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 Service Insurance Company, Inc.
953 American Lane, Fl. 3
Schaumburg, IL 60173-4983

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

Illinois Department of Insurance
Dana Popish Severinghaus, Acting Director
320 W. Washington Street, 4th Floor
Springfield, IL 62767-0001

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

Office of the Special Deputy Receiver
Daniel A. Guberman
222 Merchandise Mart Plaza, Suite 960
Chicago, IL 60654
dguberman@osdchi.com

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

Idaho Guaranty Association
Western Guaranty Fund Services
Attn: Chad Anderson, President
canderson@wgfs.org

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

Karl T. Klein
Lead Deputy Attorney General
Idaho Department of Insurance
P.O. Box 83720
Boise, ID 83720-0043

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


Pamela Murray