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APR 10 2007

Department of Insurance  
State of Idaho

Attorneys for the Department of Insurance

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

**STATE OF IDAHO**

In the Matter of:	)	
	)	Docket No. 18-2292-07
YORK INSURANCE	)	
COMPANY	)	<b>ORDER OF CONTINUATION</b>
	)	<b>OF SUSPENSION OF</b>
Certificate of Authority No. 1027	)	<b>CERTIFICATE OF AUTHORITY</b>
NAIC No. 24325	)	
	)	
Respondent.	)	
_____	)	

WHEREAS, the Certificate of Authority issued to YORK INSURANCE COMPANY (“YORK”), a company domiciled in the state of Rhode Island, licensed for property and casualty insurance in the state of Idaho, has been suspended by the Department of Insurance, state of Idaho, by orders dated February 10, 2005, and May 5, 2006, pursuant to Idaho Code § 41-326(1)(b) due to the failure of the company to meet the capital and surplus requirements set forth at Idaho Code § 41-313(1); and

WHEREAS, in review of the company's financial statements dated December 31, 2006, YORK had additional surplus of Thirteen Thousand Eight Hundred Seventy-four Dollars (\$13,874) and thus given the One Million Dollar (\$1,000,000) requirement it has a surplus deficiency/impairment of Nine Hundred Eighty-six Thousand One Hundred Twenty-six Dollars (\$986,126) and continues to fail to meet the capital and surplus requirements set forth at Idaho Code § 41-313(1);

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to the provisions of Idaho Code § 41-326(1)(b), that Certificate of Authority No. 1027, issued to YORK INSURANCE COMPANY be CONTINUED in SUSPENSION effective immediately, and that YORK 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", 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 YORK is otherwise in compliance with the provisions of Title 41, Idaho Code.

#### **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 10<sup>th</sup> day of April 2007.

  
\_\_\_\_\_  
WILLIAM W. DEAL  
Director

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have on this 10th day of April 2007, caused a true and correct copy of the foregoing document, to be served upon the following by the designated means:

York Insurance Company  
Jeffrey Scott Mack  
88 Boyd Avenue  
East Providence, RI 02914

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

Idaho Guaranty Association  
Attn: Dave Edwards  
Western Guaranty Fund Services  
dedwards@wgfs.org

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