

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**  
**OCT 13 2022**  
**INSURANCE COMMISSIONER**  
**OKLAHOMA**

STATE OF OKLAHOMA, ex rel. GLEN )  
MULREADY, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
DAVID J. PRICENSKI, a non-resident )  
insurance adjuster in the State of Oklahoma, )  
 )  
Respondent. )

Case No. 22-0441-DIS

**CONDITIONAL ADMINISTRATIVE ORDER**  
**AND NOTICE OF RIGHT TO BE HEARD**

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, by and through counsel, Andrea M. Golden, and alleges and states as follows:

**JURISDICTION**

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and, as such, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101-7401, and the Oklahoma Insurance Adjusters Licensing Act, 36 O. S. §§ 6201-6223.
2. Respondent, David J. Pricenski, (“Respondent”), is a non-resident insurance adjuster in the State of Oklahoma. Respondent’s address of record is 1345 Perimeter Parkway Virginia Beach, Virginia 23454. Respondent does not have an Oklahoma non-resident adjuster license.
3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 36 O.S. §6220.
4. Pursuant to 36 O.S. §6220(B), in addition to any potential denial, censure, suspension, or revocation, any person violating any provision of the Oklahoma Insurance Adjusters Licensing Act may be subject to a civil penalty of not more than One Thousand Dollars (\$1,000.00) for each violation.

5. If Respondent requests a hearing in writing in this matter, pursuant to *OAC 365:1-7-1*, the Insurance Commissioner, pursuant to *36 O.S. §319*, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

#### ALLEGATIONS OF FACT

6. On or about June 22, 2022, Oklahoma Insurance Department's Consumer Assistance Division ("OID") received a complaint regarding a claim issue.

7. On July 1, 2022, OID issued a request for information regarding the complaint to the insurer, GEICO. On July 5, 2022, OID received the requested information, which listed Respondent as one of the adjusters who adjusted losses or negotiated claim settlements on Oklahoma rated claims.

8. Upon further investigation, it was found that Respondent did not have an Oklahoma non-resident adjuster's license at the time he adjusted losses or negotiated claim settlements for three (3) Oklahoma rated claims.

9. Pursuant to *36 O.S. §6220(A)(9)*, it is a violation of the Adjuster Licensing Act for an adjuster to adjust losses or negotiate claim settlements arising pursuant to provisions of insurance contracts on behalf of an insurer or insured without proper licensing from the Commissioner and authority from the licensed insurer or the insured party.

#### ALLEGED CONCLUSIONS OF LAW

10. Respondent violated *36 O.S. §6220(A)(9)* by adjusting losses or negotiating claim settlements of three (3) claims without proper licensing from the Oklahoma Insurance Commissioner.

#### ORDER

**IT IS THEREFORE ORDERED** that Respondent is hereby **CENSURED** and **FINED Two Hundred Dollars (\$200.00)**. The fine is to be paid within thirty (30) days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. The fine shall be sent to the Oklahoma Insurance Department located at 400 NE 50<sup>th</sup> Street, Oklahoma

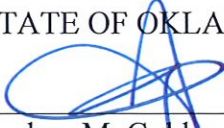
City, Oklahoma 73105. Failure to comply with a proper order of the Commissioner will result in further administrative action.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent request a hearing with respect to the Findings of Fact set forth above within thirty (30) days of the date of this Conditional Order, the penalties set forth above will become a Final Order on the thirty-first (31<sup>st</sup>) day following the date of mailing this Order. A request for hearing should be in writing and addressed to Andrea M. Golden, Oklahoma Insurance Department, Legal Division, 400 NE 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or modify the Order and must be served on the Oklahoma Insurance Department within the thirty (30) days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, *36 O.S. §§ 101 et seq.*, and the *Oklahoma Administrative Procedures Act*, *75 O.S. §§ 250 through 324*. If Respondents serve a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as a notice of the matters to be reviewed at the hearing and the Findings of Fact, Conclusions of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 13<sup>th</sup> day of October 2022.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

  
Andrea M. Golden, OBA# 33390  
Assistant General Counsel  
Oklahoma Insurance Department  
400 NE 50<sup>th</sup> Street  
Oklahoma City, Oklahoma, 73105  
Tel. (405) 521-2746  
Fax (405) 522-0125

**CERTIFICATE OF MAILING**

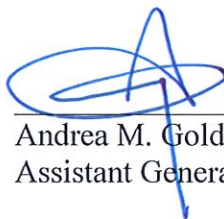
I hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to be Heard* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 13<sup>th</sup> day of October 2022, to:

David J. Pricenski  
1345 Perimeter Pkwy  
Virginia Beach, VA 23454

**CERTIFIED MAIL NO:**  
**9214 8902 0982 7500 0497 93**

and a copy was delivered to:

Licensing Division  
Consumer Assistance Division



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Andrea M. Golden  
Assistant General Counsel

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