

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, SEPTEMBER 21, 2020

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COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

v.

CASE NO. INS-2020-00187

ALLIED PROPERTY & CASUALTY INSURANCE COMPANY,  
AMCO INSURANCE COMPANY,  
CRESTBROOK INSURANCE COMPANY,  
NATIONWIDE GENERAL INSURANCE COMPANY,  
NATIONWIDE INSURANCE COMPANY OF AMERICA,  
NATIONWIDE MUTUAL INSURANCE COMPANY, and  
NATIONWIDE PROPERTY AND CASUALTY INSURANCE COMPANY,  
Defendants

SETTLEMENT ORDER

Based on a market conduct inquiry performed by the Bureau of Insurance ("Bureau"), it is alleged that Allied Property & Casualty Insurance Company, AMCO Insurance Company, Crestbrook Insurance Company, Nationwide General Insurance Company, Nationwide Insurance Company of America, Nationwide Mutual Insurance Company, and Nationwide Property and Casualty Insurance Company (collectively, the "Defendants"), duly licensed by the State Corporation Commission ("Commission") to transact the business of insurance in the Commonwealth of Virginia ("Virginia"), violated 14 VAC 5-400-70 D of the Commission's Rules Governing Unfair Claim Settlement Practices, 14 VAC 5-400-10 *et seq.* of the Virginia Administrative Code ("Rules"), by failing to properly issue first party claim payments under the insured's Uninsured Motorist Property Damage Coverage.

The Commission is authorized by §§ 38.2-218, 38.2-219, and 38.2-1040 of the Code to impose certain monetary penalties, issue cease and desist orders, and suspend or revoke a

defendant's license upon a finding by the Commission, after notice and opportunity to be heard, that a defendant has committed the aforesaid alleged violation.

The Defendants have been advised of the right to a hearing in this matter whereupon the Defendants, without admitting or denying any violation of Virginia law, have made an offer of settlement to the Commission wherein the Defendants have agreed to comply with the corrective action plan outlined in company correspondence dated June 12, 2020, and June 24, 2020; have confirmed restitution was made to 14 consumers in the amount of Seven Thousand Six Hundred Eighty Five Dollars and Sixty-four Cents (\$7,685.64); have tendered to Virginia the sum of Two Thousand Five Hundred Dollars (\$2,500) for each of the Defendant companies for a total of Seventeen Thousand Five Hundred Dollars (\$17,500), and have waived the right to a hearing.

The Bureau has recommended that the Commission accept the offer of settlement of the Defendants pursuant to the authority granted the Commission in § 12.1-15 of the Code.

NOW THE COMMISSION, having considered the record herein, the offer of settlement of the Defendants, and the recommendation of the Bureau, is of the opinion that the Defendants' offer should be accepted.

Accordingly, IT IS ORDERED THAT:

- 1. The offer of the Defendants in settlement of the matter set forth herein is hereby accepted.
- 2. This case is dismissed, and the papers herein shall be placed in the file for ended causes.

A COPY of this order shall be sent by the Clerk of the Commission by electronic mail to: Cheryl Davis, MCM, AIRC, ACS, Market Conduct Director, Nationwide Insurance, at [cheryl.davis@nationwide.com](mailto:cheryl.davis@nationwide.com); and a copy shall be delivered to the Commission's Office of General Counsel and the Bureau of Insurance in care of Deputy Commissioner Rebecca Nichols.