

PRIVILEGED AND CONFIDENTIAL – WITHOUT PREJUDICE

VIA EMAIL: aarnold@oci.ga.gov

May 21, 2019

Insurance Commissioner, State of Georgia
Seventh Floor, West Tower
2 Martin Luther King Jr., Drive
Atlanta, GA 30334

ATTN: Annette Arnold, Complaint Examiner

RE: **Response from CCMSI Incomplete – Reopen Complaint**

Case No.:	555231331
Nature of Complaint:	Forgery, Wrongful Acts, Admissions of Liability, Misleading Date of Loss
Complainant:	Selita Boyd/Eloise Boyd 6841 Cavalier Court Stone Mountain, GA 30087
Insured:	G B Restoration Services, LLC d/b/a Servpro of Stone Mountain/Clarkston
Insurer:	Restoration Risk Retention Group, Inc.
Third Party Administrator:	Cannon Cochran Management Services Inc. (CCMSI)
Compliance Consultant:	Carl O. Ayestas, Jr.
NAIC Code:	12209
Policy #:	RGL111570 - Liability Insurance
Policy Dates:	7/25/14 – 7/25/15
TPA Claim #:	15F05F025848

Dear Ms. Arnold,

This letter serves as an acknowledgment of CCMSI’s correspondence uploaded to my case file on March 19, 2019. This rebuttal to CCMSI correspondence is being filed for the reasons stated above with extensive details set forth below. As a claimant under the above-referenced policy, I am entitled to payment for damages under the liability provisions of the said policy. The response has been delayed due to hospitalization of the complainant who was recently released. **It is imperative that the Georgia Insurance Commissioner’s Office investigate this matter and the evidence so that the appropriate action(s) to require the third-party administrator and the insurer to comply with the terms of the insurance policy. I am requesting that the office further substantiate the evidence and to issue a statement as to the facts presented.**

A. Email statements from Frontier Adjusters (see page 4)

On or about 2/21/2019 – received an email from Frontier Adjusters stating:

“Should the company agree to consider a settlement, an inspection will be mandatory.”

Frontier/CCMSI is requesting an inspection of the home but I have not received any notification that “the company” has agreed to consider a settlement as stated in the email. Furthermore, I am requesting that CCMSI/Frontier provide in writing who is “the company” referred to in Frontier’s email. Frontier chose not to state “the company” name and proceeded with a malicious attempt to deceive the complainant.

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❖ **Request for the Insurance Commissioner’s office to demand the following from CCMSI/Frontier before any inspection (if needed) can be allowed:**

1. Resend the email dated 2/21/2019 (as shown on page 4) specifying specifically a company name
2. Since an inspection is mandatory per Frontier’s email; therefore, “the company” must have agreed to consider a settlement. State clearly specifying specifically a company name that has agreed to consider a settlement as stated in Frontier’s email and the amount for each entity:
 - Onravel Software
 - Raging Sky
 - Boyd Property
 - Boyd Liability

B. What is the purpose for an inspection of the home?

CCMSI/Frontier continues to ask for an inspection of the property. Mold damages by Servpro are being sought between the times of the property damage/fraud/negligence by Servpro beginning in 2015 through the completion of the renovation. The basement and garage renovation was completed at the time Frontier took a recorded statement regarding the claim. I’ve provided clear pictures of the water damage along with admission of neglect and liability by Servpro.

❖ **Request for the Insurance Commissioner’s office to demand the following from CCMSI/Frontier before any inspection (if needed) can be allowed:**

3. The basement and garage has been fully renovated. What is the purpose of the inspection?
4. Frontier stated an engineering firm may be requested for a site inspection. For what purpose?
5. Who will pay to replace any removal of the dwelling, if needed?
6. Liberty stated that their preferred vendor, Servpro, was liable for neglect of service. Liberty provided experts and Servpro agreed with their findings at the time. What is the purpose of an additional inspection; if Servpro has already agreed with the findings of all the previous inspections?

❖ **Request for the Insurance Commissioner’s office to review all of the evidence and provide their findings in this case**

C. Continued False Statements in CCMSI INVESTIGATION section

- CCMSI has continued to issue false statements with no evidence to refute my claims. CCMSI continue to mention a second leak in the home involving a water heater. I have provided clear evidence from Servpro that there was **never** a second leak from the water heater.
- CCMSI interjects a claim in March 2017 for fire/smoke damages. This is a separate entity/filing that has no relevancy to this case. **Defective stove by Samsung was replaced; there was no homeowner claim filed in this matter and no relevancy to this case.
- Documents have been provided in this case showing that Liberty did pursue subrogation. CCMSI continue to be untruthful that Liberty had no intention of subrogation against Servpro.
- CCMSI second degree forgery action is evident in that they stand with Lawson Thompson’s fraud email sent to WaterMedx. CCMSI states that the email relates to the release of Liberty’s contents of their file. There already was a Liberty authorization form that he could have used if that was in fact the case. CCMSI/Frontier was trying to use a fraud document to coerce and mislead to generate a statement that would have illegally given grounds to close the claim.
- CCMSI asked to inspect the property and I gave them authority at the time to inspect the property. Shortly thereafter, I learned of the email with forgery of the authorization form. We cannot allow a

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company on the premises conducting fraudulent actions. An investigation by the proper authorities regarding the authorization form will need to occur. It must be determined if CCMSI instructed Frontier to alter the document or if this is a common practice by Frontier/CCMSI. I have informed CCMSI to send information of the type of inspection needed and I will have an independent inspection to occur. An inspection from an independent company may occur on the property.

- ❖ **Request for the Insurance Commissioner’s office to review all of the evidence regarding this matter and provide their findings in this case**

D. Request for information not provided by CCMSI

In the prior rebuttal letter, I requested for the following information and it was not provided

1. The full name (first and last name) of each person that worked for Servpro of Stone Mountain/Clarkston, their certification number, types of certification with the corresponding certification date
2. A complete list of restoration agreements, client names, and dates from 2/10/2015 through 5/5/2015 including what employees were **physically** on-site for each restoration project
3. What date did Servpro of Stone Mountain/Clarkston officially go out of business/closed down?
4. CCMSI policy is needed to file a liability claim pursuant to GA law; requested over 60 days ago
5. Frontier Adjusters policy is needed to file a liability claim pursuant to GA law; requested over 60 days ago

Regards,



Selita Boyd

Selita

From: Lawson Thompson <lthompson@frontieradjusters.com>
Sent: Thursday, February 21, 2019 2:39 PM
To: Selita
Subject: ServPro 15F05f025848

Ms. Boyd,

The company has requested me to reopen my file and obtain any and all records available from the insured on this case. I will be doing that over the next week and will advise when complete.

Should the company agree to consider a settlement, an inspection will be mandatory. If you do not allow us to inspect, you will have no claim. This is black letter law.

I will be your contact until further notice.

Regards,

Lawson

Lawson Thompson, CPCU
Frontier Adjusters of Atlanta/Decatur
P.O. Box 680364
Marietta, GA 30068

770 951 0044 Fax: 770 951 0046

Cell: (Emergency) 404 313 1554

This email is confidential and may be privileged and is directed to the herein named addressee only.