



**Office of the Director**

**Arizona Department of Insurance**

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**Douglas A. Ducey, Governor**

**Keith A. Schraad, Interim Director**

October 17, 2018

Aaron Schulenburg, Executive Director  
Society of Collision Repair Specialists ("SCRS")  
P.O. Box 909  
Prosser, WA 99350

**RE: Request<sup>1</sup>**

Dear Mr. Schulenburg:

I am the Regulatory Legal Affairs Officer for the Arizona Department of Insurance ("Department") and it is in that capacity that I am responding to your letter to Interim Director Hess we received on October 16, 2018.

You ask that the Department respond to a set of questions (numbered 31 through 36) as part of your informational work on behalf of your members. You also cite to a recent decision, *Seebachan v. John Eagle Collision Ctr.* (citation omitted) on which the SCRS holds a position.

Because the Seebachans are currently in litigation with State Farm (In the United States District Court for the Eastern District of Texas, Sherman Division, Matthew Seebachan and Macia Seebachan vs. State Farm Mutual Automobile Insurance Company d/b/a State Farm, Civil Action No. 4:17-cv-537), the Department feels it would be inappropriate, as an insurance regulator, to respond to your request at this time.

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<sup>1</sup> The Department has not previously published a position on this matter. This correspondence is not intended to inform the general public of this agency's current approach to, or opinion of, or current practice based upon the requirements of law or court order. Further, this is not a legal opinion. It is based solely upon the information provided and does not preclude appropriate regulatory action based upon actual circumstances as they develop.

SCRS

October 17, 2018

However, you may want to review our statutes and regulations for answers to your questions especially the Unfair Claim Settlement Practices Act found at Arizona Revised Statutes § 20-461 and its correlate rule R20-6-801<sup>2</sup>.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mary E. Kosinski". The signature is fluid and cursive, with the first name "Mary" and last name "Kosinski" clearly distinguishable.

Mary E. Kosinski  
Regulatory Legal Affairs Officer

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<sup>2</sup> Department statutes can be found at: <https://www.azleg.gov/arsDetail/?title=20> and Department regulations can be found at: [https://apps.azsos.gov/public\\_services/Title\\_20/20-06.pdf](https://apps.azsos.gov/public_services/Title_20/20-06.pdf)