

**PUBLIC ADJUSTER
LICENSING, RENEWAL AND
CONTINUING EDUCATION
GUIDE**

May 2014

PUBLIC ADJUSTER GUIDE

Pursuant to legislation enacted in the 2012 Virginia General Assembly (House Bill 872/Senate Bill 520), no person shall engage in the business of public adjusting, on or after January 1, 2013, without first applying for and obtaining a license from the Bureau of Insurance (“Bureau”). The license shall be for a term expiring two years from the date of issuance and may be renewed for ensuing two-year periods. No other type of “adjuster” requires licensure in Virginia at this time.

A *Public Adjuster* means an individual or business entity who receives, either directly or indirectly, a salary, fee, commission, or other compensation for engaging in public adjusting.

Public adjusting means investigating, negotiating, adjusting or providing advice to an insured in relation to first party claims arising under insurance contracts that insure real or personal property of an insured for the purpose of effecting the settlement of a claim on behalf of the insured.

A Public Adjuster is required to comply with the Standards of Conduct. Visit <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+38.2-1845.12> to review the standards.

A Public Adjuster is required to enter into a written Public Adjuster Contract for services rendered to the insured pursuant to Virginia Code § 38.2-1845.12. F. Visit <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+38.2-1845.13> to review the terms that must be in the contract.

A Public Adjuster applicant (individual and business entities) is obligated to meet all requirements as prescribed in Article 4.1 of Chapter 18, Title 38.2. (§§ 38.2-1845.1-38.2-1845.23 of the Code of Virginia)
<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+38.2-1845.1>

Licensing Requirements for ALL Individuals and Business Entities

Individual applicants must be at least 18 years of age.

Individual and business entity applicants must apply through Sircon’s Compliance Express (“CX”) or NIPR. Visit www.scc.virginia.gov/boi/pro/adj.aspx to submit the electronic application. Visit www.scc.virginia.gov/boi/ConsumerInquiry to track a pending application or to view the license status.

As a condition of licensure, the electronic application includes an “attestation” through which the applicant must certify that he has and thereafter shall keep in force, for as long as the license remains in effect, a bond in favor of the

Commonwealth in the amount of \$50,000 with corporate sureties licensed by the Commission. The surety bond number, effective date and the name of the insurer must be included on the application for licensure. Currently, the Bureau does not require receipt of the actual bond as a condition of licensure. Visit www.scc.virginia.gov/boi/pro/adj.aspx to download PA-2 Bond Form.

A **business entity** must designate an individual licensed in Virginia as a Public Adjuster to be responsible for the business entity's compliance with the laws, rules, and regulations of the Commonwealth. The license authority of any business entity licensed as a Public Adjuster shall terminate immediately if the sole licensed responsible Public Adjuster designated for the business entity's compliance with the insurance laws, rules, and regulations of the Commonwealth is removed for any reason and a new responsible Public Adjuster has not been designated and the Commission notified within 30 calendar days of such removal and of the newly designated responsible Public Adjuster. Visit www.scc.virginia.gov/boi/online.aspx to maintain Firm associations.

A **business entity** is not required to first obtain a certificate of authority, including a certificate of registration, certificate of organization, certificate of limited partnership, or charter, from the Commission prior to being eligible to obtain a public adjuster license. **However, the business entity must still obtain the necessary certificate of authority within 90 days of licensure. A failure to obtain that certificate of authority may result in the Bureau terminating the public adjuster license.** Visit www.scc.virginia.gov/clk for details or contact the Clerk's Office at 804-371-9733.

Licensing Requirements for RESIDENT Individuals and Business Entities

An **individual** applicant is required to obtain a current Criminal History Record Report from the Virginia State Police. If the applicant fails to provide a current, no more than 90 days old, criminal history record report, the Bureau will refuse licensure. A criminal history record report is not required to renew the license. Visit www.vsp.state.va.us to download the form (SP-167). When completing the form, have the report mailed back to the applicant; not to the Bureau. When the completed report is received, either attach it as a PDF and email it to bureauofinsurance@scc.virginia.gov or fax it to (804)-371-9290.

Individual applicants are required to pass the Virginia pre-licensing Public Adjuster examination. Visit www.pearsonvue.com/va/insurance to view the Public Adjuster Examination Content Outline and for exam registration.

Licensing Requirements for NONRESIDENT Individuals and Business Entities

Individual and business entity applicants must be currently licensed or otherwise authorized as a resident Public Adjuster and be in good standing in their home state. A Public Adjuster license will not be issued to individuals who do not hold this authority in their home state. If the home state does not report the Public Adjuster line of authority to the NAIC's Producer Data Base ("PDB"), fax to 804-371-9290 a current, no more than 90 days old, Letter of Certification from the insurance department of the Public Adjuster's home state license.

A Virginia nonresident Public Adjuster's license shall be terminated at any time that the nonresident's equivalent authority in his home state is terminated, suspended, or revoked.

RENEWALS

Both resident and nonresident Public Adjusters must submit an electronic renewal application along with the nonrefundable renewal application processing fee every two years from the issue date of the Public Adjuster license. Any Public Adjuster license for which the required renewal application and nonrefundable renewal application processing fee has not been received by the Bureau will automatically be terminated.

As a condition of renewal, the electronic renewal application includes an "attestation" wherein the applicant must certify that they have, and will keep in force for as long as the license remains in effect, a \$50,000 bond in favor of the Commonwealth with corporate sureties licensed by the Commission. The surety bond number, effective date and the name of the insurer must be included on the renewal application. Currently, the Bureau does not require receipt of the continuation certificate as a condition of renewal.

A Resident Individual Public Adjuster's license will not be renewed if the continuing education requirements have not been met.

CONTINUING EDUCATION ("CE") REQUIREMENTS FOR RESIDENTS ONLY

An individual who holds a Public Adjuster license shall satisfactorily complete a minimum of 24 hours of approved CE courses, including three hours of ethics, reported on a biennial basis in conjunction with the license renewal.

A \$15 nonrefundable CE processing fee will be assessed with the renewal.

The Bureau has contracted with Pearson VUE to administer the CE program for Public Adjusters. Visit www.sircon.com/virginia to view CE transcripts, available course offerings, and approved courses.

CE credits will not be awarded for courses completed before the license was issued.

Public Adjusters are not allowed to receive credit for the same course in the same biennium. Also, CE credit cannot be given for a duplicate course taught in alternative formats (classroom course, on-line course, video or audio conference, web-conference based, etc.) if the curriculum is based on the same published materials; this rule applies to any variation of course types.

A Public Adjuster's license will not be renewed if all CE requirements have not been met.

MISCELLANEOUS

I. Address Changes

Every licensed Public Adjuster is required by law to notify the Bureau within 30 calendar days of any change of residence. Visit <http://scc.virginia.gov/boi/online.aspx> to update your address. Sircon must be used to make a change in the business entity's (agency) address. DO NOT USE A COMPANY OR ANY BUSINESS ADDRESS (INCLUDING PO BOX) AS THE INDIVIDUAL PUBLIC ADJUSTER'S RESIDENCE OR MAILING ADDRESS. Sircon must be used to make a change in the business entity's (agency) address.

A licensed Public Adjuster who has moved his/her residence from this Commonwealth shall have all licenses terminated by the Bureau.

II. Name Changes

A licensed Public Adjuster is required by law to notify the Bureau in writing within 30 calendar days of any change of name. These changes can be made by downloading and properly completing the Bureau's Service Request Form at <http://scc.virginia.gov/boi/pro/formapp.aspx> and submitting the form to the Bureau via email, bureauofinsurance@scc.virginia.gov, or by faxing it to 804-371-9290.

A copy of the marriage certificate, divorce decree (if the decree states the change from married name to maiden name), or court order is required. Please include the Virginia License Number ("VLN") or National Producer Number ("NPN") with the request. The licensee must sign the request.

III. Felony Conviction

A Public Adjuster (resident or nonresident) is required by law to report to the Bureau any conviction involving a felony, a crime of moral turpitude, or any criminal offense involving dishonesty or breach of trust in another jurisdiction or in the Commonwealth within 30 calendar days of the final disposition of the matter. This report shall include a copy of the order and other relevant legal documents.

IV. Administrative Actions

A Public Adjuster (resident or nonresident) is required by law to report to the Bureau within 30 calendar days of the final disposition of the matter of any administrative action taken against him in another jurisdiction or by another governmental agency in the Commonwealth. Such report shall include a copy of the order, consent order, or other relevant legal documents. Visit <https://pdb.nipr.com/docMgmt/main.html> to report administrative actions to the Bureau electronically via NIPR's Attachment Warehouse – Reporting of Actions.

V. Trade Names

In addition to the requirements of §§ [59.1-69](#) and [59.1-70](#), any individual or business entity licensed as a Public Adjuster in the Commonwealth and operating under an assumed or fictitious name shall provide notice to the Commission, at the earlier of the time the application for a Public Adjuster license is filed or within 30 calendar days from the date the assumed or fictitious name is adopted, setting forth the name under which the Public Adjuster intends to operate in the Commonwealth. The Commission shall also be notified within 30 calendar days from the date of cessation of the use of such assumed or fictitious name.

V. Clearance Letters

Clearance letters must be requested by the Public Adjuster, and submitted to the Bureau on the Service Request Form. The request must include the VLN or NPN, the new residence address, and the state the Public Adjuster is moving. The Public Adjuster must sign the request. The license will be terminated when the clearance is processed. Visit <http://scc.virginia.gov/boi/pro/formapp.aspx> to download the form.

VI. Certification Letters

Based upon the national initiative for uniformity of state insurance regulation, most states do not require certification letters as a Public Adjuster's license status may be verified on the NAIC's PDB, or on the Bureau's website at www.scc.virginia.gov/boi/ConsumerInquiry. Nevertheless, a certification letter may be obtained online at www.sircon.com/virginia and printed from this site.

The above information is not intended to be all-inclusive. If you have any questions or problems not addressed here, please contact the Bureau at bureauofinsurance@scc.virginia.gov or visit our website shown below.

**Bureau of Insurance
Agents Licensing Section
P. O. Box 1157
Richmond, Virginia 23218
804-371-9631
804-371-9290 (Fax)
bureauofinsurance@scc.virginia.gov
www.scc.virginia.gov/boi/**