



THE COMMONWEALTH OF MASSACHUSETTS AUTO DAMAGE APPRAISER LICENSING BOARD

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LIEUTENANT GOVERNOR

GILBERT W. COX JR.
CHAIRMAN

JOSEPH COYNE
RICHARD STARBAR
WILLIAM E. JOHNSON
LYLE M. PARE

Minutes of Meeting of the Board on February 23, 2016 Approved by the Board at the May 25, 26 2016 Board Meeting; Motion of Board Member William Johnson, Seconded by Board Member Lyle Pare. The Motion Passed by a Vote of: 3-0, Chairman Cox Abstained and Board Member Joseph Coyne Declined to Vote Because He Did Not Attend the February 23, 2016, Meeting.

February 23, 2016 Minutes of Board Meeting
Held at 1000 Washington Street, Boston, Massachusetts.

Members Present:

Gilbert Cox, Chairman
Richard Starbard
William Johnson
Lyle Pare

Attending to the Board:

Michael D. Powers, Counsel to the Board
Steven Zavackis, Executive Secretary to the Board, assigned to the Office of the General Counsel of the Division of Insurance, took the minutes of the Board meeting.

Proceedings recorded by:

Jillian Zywiec of the Alliance of Automotive Service Providers of Massachusetts (AASP) (Audio/Video). Joel Gausten of GRECO Publishing (Audio/Photography). Chris Gervais of MAPFRE (Audio/Video).

Review of minutes:

The meeting was called to order by Chairman Cox, and the minutes of the Board meetings held on January 26, 2016 were not available. The Board was informed by the Legal Counsel to the Board, Michael D. Powers, that because of the short period of time between the previous meeting and the length of the meeting that was held on January 26, 2016, there was insufficient time to prepare the minutes, but they would be prepared for the next meeting of the Board. Mr. Powers also informed the Board that he had been contacted by Board Member Joseph Coyne who said that he would be unavailable for the Board meeting because of a medical appointment.

Report on the Part-II examination for motor vehicle damage appraiser license scheduled for March 16, 2016:

Board Member Richard Starbard reported that the Part-II examination for motor vehicle damage appraiser license would be held at the Assabet Valley Regional Technical High School and that all of the arrangements were in order.

Request of Charles Rytuba, whose motor vehicle damage appraiser license lapsed, to waive the requirement of re-taking the examination and being allowed to renew his license and pay the back fees and fines because of his failure to timely renew his license:

Steven Zavackis, Executive Secretary to the Board, reported that Mr. Rytuba had failed to renew his license for the past seven years, since 2009. If the Board were to allow Mr. Rytuba to renew his license the penalty fees would amount to \$700.

Board Member Johnson observed that seven years was a long time for a licensed motor vehicle appraiser to let his license lapse.

Mr. Rytuba requested permission to speak with the Board and Chairman Cox approved.

Mr. Rytuba explained that he had his license for 16 years and ran his own auto repair business until he closed his shop. He went to work for someone else and did not need the license. The owner of the auto body repair shop where he is currently working needs a person with a motor vehicle damage appraiser license.

Board Member Johnson announced that he knew Mr. Rytuba from the time during which he ran his own auto body repair shop and found that he had a good reputation.

Board Member Starbard asked Mr. Zavackis what the longest period of time was whereby a licensed appraiser had allowed his license to lapse and was approved by the Board to renew the license. Mr. Zavackis replied that a couple of meetings ago the Board approved a person who had let his license lapse for over 7 years.

Board Member Johnson made a motion that Mr. Rytuba could have his license reinstated after the payment of all fees assessed by the Board. Board Member Pare seconded the motion, and the motion passed by a vote of: 3-0, Chairman Cox abstained.

Discussion about amending the ADALB regulation 212 CMR 2.00 et seq and date of Special Public meeting to gather input from interested parties.:

The Board had previously decided to discuss proposed amendments to the ADALB's regulation and approved an upcoming Special Public session of the Board. The Special Public session of the Board will be held in advance of considering draft changes and implementing the formal regulatory amendment process, and the Board will welcome interested members of the public to attend the Special Public session to provide input with regards to topics and any possible changes the public would like the Board to consider addressing in the next regulation review. The General Counsel for the Division of Insurance, Rachel Davison, who will oversee the Special Public meeting of the Board, provided several dates that she would be available in May of 2016. The Board agreed

to hold the meeting on May 4, 2016, at 1000 Washington Street and requested the Legal Counsel to the Board, Michael D. Powers, have notices of the meeting sent and posted on the Auto Damage Appraiser Licensing Board's website.

Board Member Johnson informed the Board that he put together his thoughts about proposed amendments, amendments reflecting past discussions among the Board, and proposals made by Board Members Starbard and Pare at the previous Board meeting held on January 26, 2016. Board Member Johnson handed out a document containing these proposed amendments which was the following:

212 CMR 2.04

RED TO BE REMOVED BOLD BLACK TO BE ADDED

*[For purposes of clarity because the published minutes cannot be color-coded by using the color red to indicate the specific words Board Member Johnson proposes to remove from the ADALB's regulation, where Board Member Johnson submitted his proposal at the Board meeting indicating removing language by coloring words red, those words are underlined below and, therefore, mean the underlined words are the ones that Board Member Johnson proposes removing from the current regulation].

CODE OF MASSACHUSETTS REGULATIONS

TITLE 212: AUTO DAMAGE APPRAISERS LICENSING BOARD

CHAPTER 2.00: THE APPRAISAL AND REPAIR OF DAMAGED MOTOR VEHICLES

2.04: Procedures for the Conduct of Appraisals and Intensified Appraisals

(1) Conduct of Appraisals.

(a) Assignment of an Appraiser. Upon receipt by an insurer or its agent of an oral or written claim for damage resulting from a motor vehicle accident, theft, or other incident for which an insurer may be liable, the insurer shall assign either a staff or an independent appraiser to appraise the damage. Assignment of an appraiser shall be made within two business days of the receipt of such claim. However, the insurer may exclude any claim for which the amount of loss, less any applicable deductible, is less than \$1,500.

(b) Repair Shop Appraisal. All repair shops shall maintain one or more licensed appraisers in their employment for the purpose of preparing motor vehicle damage appraisals. No staff or independent appraiser shall knowingly negotiate a repair figure with an unlicensed individual or an unregistered repair shop.

(c) Contact with Claimant and Selection of Repair Shop. No staff or independent appraiser, insurer, representative of insurer, or employer of an independent appraiser shall refer the claimant to or away from any specific repair shop or require that repairs be made by a specific repair shop or individual. The provisions of 212 CMR 2.04(c) shall not apply to any approved direct payment plan pursuant to 211 CMR 123.00.

(d) Requirement of Personal Inspection and Photographs. An appraiser, **whether representing the insurance company or repair shop** shall personally inspect the damaged motor vehicle and shall rely primarily on that personal inspection in making the appraisal. As part of the inspection, the appraiser shall also photograph each of the damaged areas.

(e) Determination of Damage and Cost of Repairs. The appraiser shall specify all damage attributable to the accident, theft, or other incident in question and shall also specify any unrelated damage. If the **insurance** appraiser determines that preliminary work or repairs would significantly improve the accuracy of the appraisal, he or she shall authorize the preliminary work or repair with the approval of the claimant and shall complete the appraisal after that work has been done **by a registered shop of the claimant's choice. If the appraiser representing a registered repair shop determines that preliminary work, repairs or partial disassembly would significantly improve the accuracy of the appraisal, then, with the approval of the claimant, he or she shall authorize such preliminary work, repairs, or partial disassembly; provided however, that, if there has been a written insurance claim made, then the repair shop appraiser shall first obtain the approval of the insurer before giving such authorization, unless the claimant directs that such work, repair, or partial disassembly be made without obtaining the insurer's approval, the claimant being first informed that they may be held personally responsible for the costs of same and that it may affect the insurer's obligation to pay the cost of repairs. In all instances, the appraiser shall photograph the damaged areas before authorizing preliminary work, repair, or partial disassembly. An insurer shall not unreasonably withhold its approval of preliminary work, repair, or partial disassembly.**

The appraisers representing the insurance company and the registered repair shop selected by the insured to do the repair shall attempt to agree on the estimated cost for such repairs. The registered repair shop must prepare an appraisal for the purpose of negotiation. No appraiser shall modify any published manual **or electronic data system, if utilized** (*i.e.*, Motors, Mitchell or any automated appraisal system) without prior negotiation between the parties. Manufacturer warranty repair procedures, I-Car, Tec Cor and paint manufacturer procedures **may** **shall** also apply. Further, no appraiser shall use more than one manual or **electronic data system if utilized** for the sole purpose of gaining an advantage in the negotiation process.

If, while in the performance of his or her duties as a licensed auto damage appraiser, an appraiser recognizes that a damaged repairable vehicle has incurred damage that would impair the operational safety of the vehicle, the appraiser shall immediately notify the owner of said vehicle that the vehicle may be unsafe to drive.

The licensed auto damage appraiser shall also comply with the requirements of [M.G.L. c. 26, § 8G](#) the paragraph that pertains to the removal of a vehicle's safety inspection sticker in certain situations.

The appraiser shall determine which parts are to be used in the repair process in accordance with 211 CMR 133.00. The appraiser shall itemize the cost of all parts **including**

shipping and handling, core charges shipping and handling, labor times, hourly rate, materials, and necessary procedures required to restore the vehicle to pre-accident condition and shall total such items. Delays in repair cycle time shall be considered when sourcing parts and materials. The rental cost of frame/unibody fixtures necessary to effectively repair a damaged vehicle shall be shown on the appraisal and shall not be considered overhead costs of the repair shop. With respect to paint, paint materials, body materials and related materials, if the formula of dollars times hours is not accepted by a registered repair shop or licensed appraiser, then a published manual, **electronic data system or retail receipts for paint and material** other documentation shall be used unless otherwise negotiated between the parties. All appraisals written under 212 CMR 2.00 shall include the cost of replacing broken or damaged glass within the appraisal. When there is glass breakage that is the result of damage to the structural housing of the glass then the cost of replacing the glass must be included in the appraisal in accordance with 212 CMR 2.04. The total cost of repairing the damage shall be computed by adding any applicable sales tax payable on the cost of replacement parts and other materials. The appraiser shall record the cost of repairing any unrelated damage on a separate report or clearly segregated on the appraisal unless the unrelated damage is in the area of repair.

If aftermarket parts are specified in any appraisal the appraiser shall also comply with the requirements of M.G.L. c. 90, § 34R that pertain to the notice that must be given to the owner of a damaged motor vehicle.

The appraiser shall mail, fax or electronically transmit the completed appraisal within five **three** business days of the assignment, or at the discretion of the repair shop, shall leave a signed copy of field notes, with the completed appraisal to be mailed or faxed **or electronically transmitted** within five **three** business days of the assignment. The repair shop may also require a completed appraisal at the time the vehicle is viewed. If the repair shop requires a completed appraisal, then the repair shop shall make available desk space, phone facilities, calculator and necessary manuals. A reasonable extension of time is permissible when intervening circumstances such as the need for preliminary repairs, severe illness, failure of the parties other than the insurer to communicate or cooperate, or extreme weather conditions make timely inspection of the vehicle and completion of the appraisal impossible.

(f) Determination of Total Loss. Whenever the appraised cost of repair plus the estimated salvage may be reasonably expected to exceed the actual cash value of a vehicle, the insurer may deem that vehicle a total loss. No motor vehicle may be deemed a total loss unless it has been **personally** inspected or **and** appraised by a licensed appraiser nor shall any such motor vehicle be moved to a holding area without the consent of the owner. A total loss shall not be determined by the use of any percentage formula.

(g) Preparation and Distribution of Appraisal Form. All appraisers shall set forth the information compiled during the appraisal on a form that has been filed with the Board. Staff and independent appraisers shall, upon completion of the appraisal, give copies of the completed appraisal form to the claimant, the insurer, and the repair shop and shall give related photographs to the insurer.

(h) Supplemental Appraisals. If a registered repair shop or claimant, after commencing repairs, discovers additional damaged parts or damage that could not have been reasonably anticipated at the time of the appraisal, either may request a supplementary appraisal. The registered repair shop shall complete a supplemental appraisal prior to making the request. The insurer shall assign an appraiser who shall personally inspect the damaged vehicle within **three** **two** business days of the receipt of such request. The appraiser shall have the option to leave a completed copy of the supplemental appraisal at the registered repair shop authorized by the insured or leave a signed copy of his or her field notes with the completed supplement to be **mailed**, faxed **or** electronically transmitted or hand delivered to the registered repair shop within one business day. The appraiser shall also give a copy of the completed supplement to the insurance company in a similar manner. A reasonable extension of time is permissible when intervening circumstances such as the need for preliminary repairs, severe illness, failure of the parties other than the insurer to communicate or cooperate, or extreme weather conditions make timely inspections of the vehicle and completion of the supplemental appraisal impossible.

(i) Expedited Supplemental Appraisals.

If an insurer, a repair shop, and the claimant agree to utilize an expedited supplemental appraisal process, an insurer shall not be required to assign an appraiser to personally inspect the damaged vehicle. In such event, the repair shop shall fax or electronically submit to the insurer a request for a supplemental appraisal allowance in the form of an itemized supplemental appraisal of the additional cost to complete the repair of the damaged vehicle, prepared by a licensed appraiser employed by the repair shop, together with such supporting information and documentation as may be agreed upon between the insurer and the repair shop. The insurer shall then be required to fax or electronically submit to the repair shop within **two** **one** business days its decision as to whether it accepts the requested supplemental appraisal allowance. Within this same period, a licensed appraiser representing the insurer and a licensed appraiser representing the repair shop may attempt to agree upon any differences. In the event that an insurer does not accept the repair shop's request for the supplemental appraisal allowance, or if the insurer fails to respond to the repair shop within **two** **one** business days, the insurer and the repair shop shall be obligated to proceed in accordance with 212 CMR 2.04(1)(h), and within the time limits set forth in such provision. In such event, the date of the initial request for a supplemental appraisal allowance shall be the starting date for when the insurer must assign an appraiser to personally inspect the damaged vehicle.

No insurer or repair shop shall be obligated to utilize an expedited supplemental appraisal process and the determination of whether to utilize such process shall be made separately by an insurer or by a repair shop only on an individual claim basis. Utilization of an expedited supplemental appraisal process shall not be used as a criterion by an insurer in determining the insurer's choice of shops for a referral repair shop program under an insurer's direct payment plan; and being a referral shop shall not be a criterion in determining whether to utilize an expedited supplemental appraisal process.

(j) Completed Work Claim Form. If the insurance company does not have a direct payment

plan or if the owner of the vehicle chooses not to accept **the provisions and** payment under a direct payment plan then a representative of the insurer shall provide the insured with a completed work claim form and instructions for its completion and submission to the insurer.

(K) When a Completed Work Form is utilized the appraiser representing the insurance company and registered repair shop shall negotiate all costs without regard to the direct payment plan/ referral shop program.

(2) Temporary Licensing. The Board may grant at its discretion either an emergency or a temporary license to any qualified individual to alleviate a catastrophic or emergency situation for up to 90 days. The Board may limit the extent of such emergency authorization and in any event, if the situation exceeds 30 days, a fee determined by the Board shall be charged for all emergency or temporary licenses.

Board Member Johnson began the discussion by explaining the reasons for his proposed amendments by stating he would recommend removing the current language contained in 212 CMR 2.04 (1) referring to “less any applicable deductible” because this language creates a moving target for the \$1,500 exclusion which does not require an appraisal by a licensed appraiser for damage to a motor vehicle below that amount. Mr. Johnson observed that consumers have different deductible amounts in their insurance policies and to attempt to determine what a particular consumer’s deductible is, which may also depend on the circumstances of the accident, creates too much confusion. The intent of not requiring an appraisal by a licensed appraiser when the damage to the motor vehicle is under \$1,500 is an obvious benchmark, it should be left at that and without the qualifying language of “less any applicable deductible.”

Board Member Pare suggested that the threshold should be increased to \$2,500. Board Member Starbard disagreed. Mr. Johnson responded that at this point he was only interested in clarifying the current language and it may be that the Board would increase the threshold but that should be left for a later discussion.

Board Member Johnson began to read from the proposed amendments that he submitted beginning at, “Determination of Damage and Cost of Repairs.” Board Member Johnson informed the Board that he submitted this new language to address the issue of the “tear-down” of a damaged motor vehicle that had been discussed extensively at previous Board meetings. This proposed language protects the claimant, repair shop, and the insurance company. Board Member Johnson elaborated that this tear-down language ties into his proposed language that he submitted in section (d), which covers the requirement of an insurance appraiser personally inspecting and taking photographs of the damage, whether the licensed appraiser is representing the insurance company or the repair shop.

Board Member Johnson read section (e). Board Member Johnson asserted that he suggests this language to show where savings occur.

Mr. Johnson elaborated that the suggested amendments to the paragraph referring to 211 CMR 133.00 is intended to address costs associated with the repair of a damaged motor vehicle when Like Kind and Quality parts are utilized (LKQ).

Board Member Starbard said that this language appears to capture all of the costs of returning a LKQ part or an unacceptable part.

Board Member Pare questioned what are all the costs would be included in the “core charges.”

Board Member Johnson continued to read the following two paragraphs. Board Member Johnson explained that he would change the current language for sending completed appraisals from five to three business days and delete the method of sending the appraisals of sending them in the mail. Board Member Johnson observed that with the current technology utilized in the auto damage repair industry whereby everyone is sending things by email, text-messaging, or faxing documents, the use of the U.S. mail has become obsolete. These changes are intended to bring the regulation into the 21st Century and the standard business procedures utilized today in the industry.

Board Member Johnson read section (f) of his proposed changes and concluded by stating when making a determination that a damaged motor vehicle is a “total loss” a licensed appraiser should be required to “personally inspect” the damage to the motor vehicle.

Board Member Pare questioned whether licensed appraisers were determining that the damage to a motor vehicle was a total loss without personally inspecting the motor vehicle. In his experience, licensed appraisers must personally inspect a damaged motor vehicle that they conclude is a total loss.

Board Member Johnson asserted that you can’t “total out” a car without looking at the car. This suggested amendment to the regulation simply re-affirms that an appraiser shouldn’t declare a car a “total loss” without personally looking at the damage to the motor vehicle.

Board Member Johnson then read his language for section (i) and pointed out that the time an Expedited or Supplemental Appraisal must be sent is reduced from the current time period of two business days to one business day.

Mr. Johnson recounted that he has been a licensed appraiser since 1980, and initially when an appraisal submitted a Work Form for a damaged motor vehicle, insurance companies required that all of the repair work had to be performed or payment wasn’t made. Where the language requires a “Completed Work Form” all the work has to be performed. When an auto repair shop doesn’t repair all of the work and that is indicated on the form, then the unfinished work to the damaged vehicle is depreciated by an insurance company. Under Direct Payment Plans instituted by insurance companies consumers directly receive the check for the damage to their motor vehicles. It still is the consumer’s choice to have a “Completed Work Form” or proceed under a “Direct Payment Plan.”

At this point Chairman Cox lauded Board Member Johnson for an outstanding job presenting his proposed amendments to the regulation and explaining them to the Board.

Board Member Starbard stated that as to the amendments to section (h) he would change the time period and provide that the parties do all they could to expedite the process.

Board Member Johnson observed that the one day time period could actually be a shorter period of time than an entire day, for example a call could be made at 1:30 PM and the business day ends at 5:00 PM which would be less time than an entire business day. Mr. Johnson said that is the reason he placed the time at two business days in his proposed changes.

Board Member Pare agreed with Mr. Johnson and said that one business day would be too short a time period. Mr. Pare queried how closely one defines the costs of paint and materials, for instance is it broken down to one gallon of paint.

Mr. Johnson responded that there are scales that are used at auto repair shops which measure the amount of paint used in the repair of a motor vehicle. When he wrote this part of the proposed amendments he was trying to be fair to all parties. His shop doesn't use the Mitchell Guide and he also provides a life-time warranty for the work. The auto repair industry has been applying averages for these items, but times have changed and we should utilize the process being used at an auto repair shop.

Mr. Pare declared that we need to have some standard that is neutral, it may not be one-hundred percent accurate but it is the best system that we have.

Letter sent to ADALB Chairman Cox by the Mass Insurance Federation dated February 22, 2016, about House Bill Number 778:

The Mass Insurance Federation sent a letter to Chairman Cox and the Board Members stating the following:

February 22, 2016

Mr. Gilbert W. Cox, Jr.
Chairman
Auto Damage Appraiser Licensing Board
1000 Washington Street
Boston, MA 02118

Re: Correction of December 8, 2015 Minutes

Dear Chairman Cox:

I am writing to request that the Auto Damage Appraiser Licensing Board (the "ADALB" or the "Board") correct the minutes of its meeting of December 8, 2015 in one area. In relevant part, those minutes provide as follows:

“Mr. Starbard brought up the fact that at a recent public hearing before the Massachusetts legislative committee on financial services, testimony was taken about amending the ADALB enabling legislation G.L. c. 28, Section 8G by abolishing the Board. The testimony in support of the bill was that during past emergencies such as the hailstorm last August and the snowstorms of last winter, the ADALB did not act expeditiously on requests from the auto insurance industry to issue emergency temporary motor vehicle damage appraiser licenses. Consequently, the testimony went, the ADALB should be abolished. Board Member Coyne pointed out that the testimony is erroneous, and the fact is that the Board did expeditiously approve the requests for temporary emergency licenses that had been submitted in August and in the past winter.

Mr. Starbard made a motion to have a letter sent by Chairman Cox to the Chairman of the Financial Services Committee approved many requests for temporary emergency licenses during the emergencies which were mentioned during the legislative hearing. The motion requested that the ADALB Legal Counsel draft the letter. The motion was seconded by Board Member Johnson and passed by a vote of: 4-0 with Chairman Cox abstaining.”

This section of the minutes grossly misrepresents and mischaracterizes the insurance industry testimony at the hearing of the Financial Services Committee held on December 1, 2015. While the original bill that was filed (House Bill No. 778) would have repealed the ADALB statute, I testified at the December 1st hearing in support of a substitute for House 778, which would provide for a process by which temporary emergency licenses would be issued in a self-executing manner during emergencies. A copy of that proposed substitute for House 778, which we submitted to the Financial Services Committee with our prepared statement, is enclosed. ***The Federation did not in its testimony or otherwise ask that the ADALB be abolished because of what we consider to be the Board’s failures to perform its basic responsibilities following weather emergencies in recent years to timely and responsibly issue temporary licenses.*** As I stated in my prepared statement and in my oral testimony: “Therefore, we are proposing in the substitute proposal that temporary licensing following an emergency declaration or other claims emergency be self-executing.” Nowhere in that statement or in my testimony did the Federation (or the other industry representative who testified) request the abolition of the Board. A copy of the Federation prepared statement on the proposed substitute bill is also enclosed.

The Federation respectfully requests that the minutes of the December 8, 2015 be corrected by deleting the erroneous assertions and statements that the testimony sought the abolition of the Board. Those corrections can be achieved by making the following changes: “Mr. Starbard brought up the fact that at a recent public hearing before the Massachusetts legislative committee on financial services, testimony was taken about amending the ADALB enabling legislation G.L. c. 28, Section 8G ~~by abolishing the Board. . . . Consequently, the testimony went, the ADALB should be abolished.~~”

While we disagree with Mr. Coyne's assertion that the Board did act expeditiously in approving requests for temporary licenses, we consider his statement to be his personal opinion, and the statement does not amount to a mischaracterization or misrepresentation about our testimony; accordingly, we are not asking that it be revised as well.

We appreciate your attending to this request to make sure that the minutes are accurate and factual with respect to this matter.

Sincerely,

John P. Murphy
Executive Director

Board Member Starbard asserted that he didn't understand the complaint made by the Mass Insurance Federation. He understood that House Bill Number 778, if enacted, abolished the Auto Damage Appraiser Licensing Board.

Board Member Johnson said that if there was a substitute bill filed in the Massachusetts House of Representatives for House Bill Number 778, then a letter should be sent from the Board to the Chairman of the House Financial Services Committee opposing the substituted bill. Board Member Starbard agreed and said that he would support a motion to send a letter to the Chairman of the House of Representatives Financial Services Committee.

Peter D'Agostino a lobbyist for the Alliance of Automotive Service Providers of Massachusetts, requested permission to speak and it was granted by Chairman Cox. Mr. D'Agostino informed the Board that there was no substitute bill that is currently pending in the legislature. The substitute bill referred to in the letter from Mass Insurance Federation was not adopted by the committee.

Mr. Johnson said that being the situation, there was no need to respond.

Mr. Adam Haddad asked to address the Board about a personal issue and Chairman Cox granted permission. Mr. Haddad reported that he had received a letter from an insurance company alleging that a consumer had filed a complaint against Mr. Haddad with the ADALB, and he requested to know whether a complaint had been filed against him with the Board.

Chairman Cox informed Mr. Haddad that there was no complaint currently pending against him before the Board at this time.

Mr. Haddad responded that an insurance company had falsely informed a consumer that a complaint had been filed against him.

Chairman Cox informed Mr. Haddad that whatever the insurance company may have done, it was not within the purview of the Board at this time.

Date of next Board meeting:

The Board agreed to schedule the next meeting on Tuesday, April 19, 2016 at 1000 Washington Street, Boston, Massachusetts at 9:30AM.

Adjournment of the Board:

Chairman Cox called for a motion to adjourn which was made by Board Member Starbard and the motion was seconded by Board Member Johnson. The motion passed by a vote of: 3-0, Chairman Cox abstained.

Whereupon, the Board's business was concluded.

The form of these minutes comports with the requirements of M.G.L. c. 30A, §22(a).