**BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE,
OFFICE OF THE MONTANA STATE AUDITOR**

IN THE MATTER OF AMANDA DAVIS, Respondent.	Case No. INS-2026-00008 **FINAL AGENCY ACTION & DEFAULT ORDER**

On April 23, 2026, counsel for the Commissioner of Securities and Insurance, Office of the Montana State Auditor (Commissioner or CSI), issued a Notice of Proposed Agency Action and Opportunity for Hearing (Notice or NOPAA) concerning Amanda Davis (Respondent). CSI served the NOPAA on Respondent via U.S. Mail with tracking capability, and a copy is posted on the CSI website.

The NOPAA explained that if Respondent disputed the allegations in the NOPAA, she must request an administrative hearing within 24 days. The NOPAA also warned that if Respondent failed to request a hearing, the Commissioner would issue a final order by default imposing the penalty stated in the NOPAA. Respondent failed to respond and request a hearing by the deadline; therefore, the Commissioner issues the following final order.

FINDINGS OF FACT

1. During the period at issue in this matter, Respondent was a resident of Montana, residing at 1535 Elm Street, Butte, Montana 59701.

2. According to a report from the Montana Highway Patrol, on February 1, 2024, at 3:20 PM MST, Respondent was driving a 2015 Cadillac Escalade west-bound on Elm Street in Butte, Montana. She failed to yield the right of way and caused a collision with a 2013 Honda Odessey. Both vehicles were disabled and needed to be towed from the scene.

3. Approximately half an hour later, at 3:51 PM MST, Respondent requested a quote for auto insurance policy from Allstate. At 4:25 PM MST, Allstate completed the quote and issued the requested policy to Respondent. The binder provision stated the policy was effective at 5:14 PM on February 1, 2024.

4. Ms. Davis provided her first notice of loss to Allstate on February 2, 2024, at 6:47 p.m. The first notice of loss states the date of loss is reported as February 1, 2024, time of loss 6:00 p.m.

5. Counsel for Allstate requested to examine Respondent under oath on March 15, 2024. Respondent failed to show. The examination was rescheduled for April 11, 2024, and Respondent attended. Respondent said she applied for the auto policy prior to the collision between 2:30 PM and 3:00 PM MST while she was at a doctor's appointment for her son. Respondent said she "got rid of the phone that she used to apply for the policy." Respondent said she does not have any other evidence to show when she applied for the policy.

6. Allstate denied all claims for the February 1, 2024, collision and voided Respondent's policy. Since Allstate did not pay the claims, there is not a basis to request restitution to the insurance company under Mont. Code Ann. § 33-1-1211(2).

7. On May 5, 2025, American National, insurer for the other vehicle involved in the collision on February 1, 2024, made a claim against Respondent for reimbursement of $53,900.07 for damages related to the accident.

8. On November 24, 2025, a CSI Investigator attempted to contact Respondent, but Respondent has not communicated with CSI.

CONCLUSIONS OF LAW

1. The Commissioner has jurisdiction over this matter pursuant to § 33-1-311, MCA.

2. The Commissioner is authorized to act in protection of insurance consumers and act in the public interest. § 33-1-311, MCA. The Commissioner is also tasked with enforcement of the Montana Insurance Code, including the Insurance Fraud Protection Act. §§ 33-1-1202, MCA, *et. seq.*

3. A person commits the act of administrative insurance fraud under § 33-1-1202(1), MCA, when the person, for the purposes of obtaining money or another benefit, presents or causes to be presented to an insurer any written or oral statement that contains false, incomplete, or misleading information regarding a fact material to a claim for payment or other benefit under the policy.

4. Respondent committed administrative insurance fraud when she submitted an auto insurance claim for a collision that occurred prior to requesting insurance for the vehicle.

5. If, after conducting a hearing under § 33-1-701, MCA, the Commissioner determines Respondent has violated the Montana Insurance Code by committing administrative insurance fraud, the Commissioner may either issue a fine of up to $5,000 or require Respondent to pay the costs of the proceeding, §§ 33-1-317, 33-1- 1211, MCA.

FINAL ORDER

THEREFORE, based on the foregoing findings of fact and conclusions of law, it is hereby ORDERED that:

1. Respondent has committed civil or administrative insurance fraud in violation of § 33-1-1202(1), MCA.

2. Respondent shall pay a fine of $5,000 pursuant to Mont. Code Ann. § 33-1-317, plus interest at the statutory rate. The fine must be paid within 30 days of the date of this Order. Payment must be made by check or money order payable to the State of Montana.

3. Payment shall be sent to the Commissioner of Securities and Insurance, Office of the Montana State Auditor, Attn: Tiffany Hoffman, Paralegal, 840 Helena Avenue, Helena, MT 59601.

DATED this 23rd day of July, 2026.

JAMES BROWN
Commissioner of Securities and Insurance,
Montana State Auditor

NOTICE

You are entitled to judicial review of this Order in accordance with § 2-4-702, MCA. Judicial review may be obtained by filing a petition in district court within thirty days after the service of this Order.

CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2026, I caused a copy of the foregoing, *Final Agency Action and Default Order*, to be served on the following person by USPS Priority Mail (with tracking capability):

Amanda Davis
756 N Westridge Dr.
Wichita, KS 67203-4842

Amanda Davis
221 Elderberry Lane
Butte, MT 59701

Brandy Morrison

~~TIFFANY HOFFMAN~~ Brandy Morrison
Paralegal