



LOUISIANA DEPARTMENT OF INSURANCE
TIMOTHY J. TEMPLE
COMMISSIONER

CEASE AND DESIST ORDER

October 1, 2024

CERTIFIED MAIL: # 9589 0710 5270 0160 8444 42
TO: Zechariah "Zack" Moore
435 Chemin Metairie Road
Youngsville, LA 70592

CERTIFIED MAIL: # 9589 0710 5270 0160 8444 59
TO: Zechariah "Zack" Moore
302 Sabal Palms Row
Youngsville, LA 70592

CERTIFIED MAIL: # 9589 0710 5270 0160 8444 66
TO: Zechariah "Zack" Moore
c/o Roofing Guys, LLC
901 W. Broussard Road
Lafayette, LA 70506

CERTIFIED MAIL: # 9589 0710 5270 0160 8444 73
TO: Roofing Guys, LLC
901 W. Broussard Road
Lafayette, LA 70506

Email: zmoore@roofingguysla.com
docs@roofingguysla.com
sstelly@roofingguysla.com

WHEREAS, IT HAS COME TO MY ATTENTION, as Commissioner of the Louisiana Department of Insurance ("LDI" and/or "Department"), that Zechariah "Zack" Moore (Mr. Moore) and Roofing Guys, LLC (Roofing Guys) have conducted themselves in a manner that violates Title 22 and poses a danger to the public health, safety, and welfare in Louisiana. Accordingly, pursuant to the authority vested in me as Commissioner, I issue Mr. Moore and Roofing Guys this Cease and Desist Order based on the following, to wit:

FACTUAL FINDINGS

1.

The LDI has evidence that indicates Mr. Moore is a "Field Representative" for Roofing Guys.

Roofing Guys is a roofing company based out of Lafayette, Louisiana. Roofing Guys is licensed by the Louisiana State Licensing Board for Contractors (LSLBC) under license number HI.561829 with an expiration date of June 5, 2026.

2.

Sometime in the beginning of August 2024, Louisiana insureds Jordan and Sarah (collectively Victims) were approached by a neighbor who had their roof replaced by Top Team Roofing and Construction (Top Team). The neighbor asked the victims if Top Team could inspect their roof in order for the neighbors to receive a discount from Top Team to which the victims agreed.

Jordan received a call from Mr. Moore with Roofing Guys requesting to inspect the victim's roof. Jordan, assuming that the call was from the roofing company referred by his neighbor, agreed.

On August 6, 2024 at approximately 10:00 am, Mr. Moore, as a representative of Roofing Guys, met with Jordan and Sarah at their home. Mr. Moore requested permission to access the roof of the home to inspect for damages due to recent weather events in the Denham Springs, Louisiana area and permission was granted by the victims. Mr. Moore spent approximately 90 minutes on the roof of the victim's home.

After inspecting the roof, Mr. Moore showed Sarah pictures of the damage, advised Sarah that there was damage to the roof requiring replacement at a cost of approximately \$30,000 to \$40,000, and left his business card.

3.

Immediately after Mr. Moore completed his inspection of the roof, the victim's neighbor asked the victims about the roofer as it was not the roofer they recommended. The victims advised that they thought it was the roofer recommended. The victims called Daniel Day (Mr. Day) with Top Team to come out and inspect the roof.

4.

Later on that date, Mr. Moore sent Jordan a series of photos of the roof via text along with messages which intentionally misrepresented the cause of damage and engaged in the practice of public adjusting without a license. The messages stated in part:

"Lines represent creased shingles which indicates there is [W]ind damage to you roof"

"Overall I don't thing [sic.] your roof is in bad shape, but I do recommend changing it soon Jordan. Due to some of the recent storms I would say let's file a claim now and get your house ready in the event a named storm comes and you have to pay 10k+ to get your roof replaced. Right now you can get you a brand new roof (value of 30k) for only your deductible. Let me know your thoughts..."

At a later date, Jordan requested Mr. Moore provide all of the information included in the text via email. Mr. Moore responded advising he would try before he got on the road. The victims did not receive the information via email from Mr. Moore.

5.

On August 7, 2024, the victims contacted Mr. Day with Top Team to inspect the roof of their home. On August 8, 2024, Mr. Day inspected the roof of the victim's home. After inspecting the roof, Mr. Day spoke with Sarah and stated that he concluded that the damage Mr. Moore marked on the roof was manmade; that the shingles were equally damaged; that wind damage does not cause equal damages; and that the entire roof would need to be replaced.

Mr. Day provided the victim's with an inspection report later that day. The inspection report included pictures of the roof and stated that the damage on the roof was not consistent with naturally occurring wind damage and the roof should be fully replaced in order to return the victim's roof to its "pre-storm/vandalism" condition.

6.

The victim's roof was installed onto the victim's home approximately 7 years ago, just prior to the victim purchasing the property. The victim confirmed that no one accessed the roof between the time of the home purchase and when Mr. Moore accessed the roof for inspection. It's the Commissioner's finding that Mr. Moore, in support of a claim for payment, manufactured the manmade damage, misrepresented the cause of the damage to the victim, and advised the victim to file a claim for the damages sustained to the victim's home.

7.

After the inspection by Mr. Day, the victims contacted their homeowner's insurance carrier, Louisiana Farm Bureau Mutual Insurance Company (LFBMIC) to file a claim (Claim # 17P02219779) for the damages caused by Mr. Moore.

On August 15, 2024, LFBMIC's adjuster inspected the victim's roof.

On August 22, 2024, at the request of Martin Crawford (Mr. Crawford) a SIU Field Supervisor with LFBMIC, Charles Rutter, PE (Mr. Rutter), a Senior Engineer with Forensic Engineering Company, LLC, evaluated the damage to the victim's roof. In the report dated September 9, 2024, Mr. Rutter concluded that there were a total of 15 creased/distressed shingles on the roof slopes; the shingles with the distressed conditions were on walkable slopes or within reach of the ridges and valleys; no wind events with sufficient velocity to displace/distress sound architectural asphalt composition shingles was reported in the four-year period prior to the engineering assessment of the roof; no collateral evidence of wind forces with sufficient velocity to crease sound shingles was observed; no shingle distress was in the wind-uplift zones; the distressed/creased shingles were not caused by wind forces; and the distressed/creased condition of the shingles was manmade.

In an estimate dated September 18, 2024, LFBMIC indicated the Replacement Cost Value (RCV) for the victim's roof was \$27,897.92.

On September 20, 2024, LFBMIC issued a claim payment to Jordan and the victim's mortgage holder, Freedom Mortgage Corporation (Freedom), in the amount of \$23,627.87 which is the Actual Cash Value (ACV) for the estimated repairs to the victim's roof, less the victims' deductible.

8.

On August 8, 2024, Sarah filed a police report (Report # 2400011183) with the Livingston Parish Sheriff's Office in reference to the property damage caused to the victims' roof by Mr. Moore.

On September 26, 2024, Mr. Moore was arrested by the Livingston Parish Sheriff's Office and charged with La. R.S. 14:57, Damage to Property With Intent to Defraud (felony). Mr. Moore was booked into the Livingston Parish Detention Center until his release on bond on the same day.

AUTHORITY OF THE COMMISSIONER

§ 2. Insurance regulated in the public interest

(A)(1) Insurance is an industry affected with the public interest and it is the purpose of this Code to regulate that industry in all its phases. [I]t shall be the duty of the commissioner of insurance to administer the provisions of this Code.

§18. Suspension or revocation of insurer's licenses; fines; orders

A. The commissioner of insurance may, as a penalty, in accordance with R.S. 49:977.3, refuse to renew, or may suspend, or revoke the certificate of authority or license of an insurer, person, or entity violating any of the provisions of this Code, or in lieu of suspension or revocation of a certificate or license duly issued, the commissioner may levy a fine not to exceed one thousand dollars for each violation per insurer, person, or entity, up to one hundred thousand dollars aggregate for all violations in a calendar year per insurer, person, or entity, when such violations warrant the refusal, suspension, or revocation of such certificate or license, or the imposition of the fine. The commissioner is also authorized to order any insurer, person, or entity to cease and desist any such action that violates any provision of this code.

§1692. Definitions

As used in this Part, unless the context requires otherwise, the following definitions shall be applicable:

(1) "Business entity" means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity.

(5) "Individual" means a natural person.

(6) "Person" means an individual or a business entity.

(7) "Public adjuster" means any person who, for any compensation, direct or indirect, engages in public adjusting.

(8) "Public adjusting" means either of the following:

(a) Investigating, appraising, or evaluating and reporting to an insured in relation to a first-party claim for which coverage is provided by an insurance contract that insures the property of the insured. Public adjusting does not include acting in any manner in relation to claims for damages to or arising out of the operation of a motor vehicle. Public adjusting does not include any activities which may constitute the unauthorized practice of law. Nothing in this Part shall be considered as permitting the unauthorized practice of law.

§1693. License required; crime of unauthorized public adjusting

- A. A person shall not act or hold himself out as a public adjuster in this state unless the person is licensed as a public adjuster in accordance with this Part.
- C. Only persons licensed under this Part shall directly or indirectly solicit business, investigate or adjust losses for another person engaged in the business of adjusting losses or damages covered by an insurance policy, for the insured.
- D. A business entity acting as a public adjuster is required to obtain a public adjuster license. Application shall be made using the uniform business entity application. Before approving the application, the commissioner of insurance shall find that:
 - (1) The business entity has paid the fees set forth in R.S. 22:821.
 - (2) The business entity has designated a licensed public adjuster responsible for the business entity's compliance with the insurance laws, rules, and regulations of this state.

§ 1923. Definitions

- (1) "Claim" shall mean any request or demand for payment or benefit, whether paid or not, made by a person either in writing or filed electronically.
- (2) "Fraudulent insurance act" includes but is not limited to acts or omissions committed by any person who, knowingly and with intent to defraud:
 - (a) Presents, causes to be presented, or prepares with knowledge or belief that it will be presented to or by an insurer, reinsurer, purported insurer or reinsurer, producer, or any agent thereof, any oral or written statement which he knows to contain materially false information as part of, or in support of, or denial of, or concerning any fact material to or conceals any information concerning any fact material to the following:
 - (iii) A claim for payment or benefit pursuant to any insurance policy.
 - (v) Payments made in accordance with the terms of any insurance policy.

(p) Presents to an insurer or insured a statement, estimate, invoice, bid, proposal, proof of loss, or any other document that misrepresents the scope of damages or costs of repairs associated with a property insurance claim.

(3) "Statement" includes but is not limited to any notice, statement, proof of loss, bill of lading, receipt for payment, invoice, account, estimate of property damages, bill for services, diagnosis, prescription, hospital or doctor records, test results, x-rays, or other evidence of loss, injury, or expense.

§ 1924 Prohibited activities and sanctions

A. (1) (a) Any person who, with the intent to injure, defraud, or deceive any insurance company, or the Department of Insurance, or any insured or other party in interest, or any third-party claimant commits any of the acts specified in Paragraph (2) or (3) of this Subsection is guilty of a felony and shall be subjected to a term of imprisonment, with or without hard labor, not to exceed five years, or a fine not to exceed five thousand dollars, or both, on each count and payment of restitution to the victim company of any insurance payments to the defendant that the court determines was not owed and the costs incurred by the victim company associated with the evaluation and defense of the fraudulent claim, including but not limited to the investigative costs, attorney fees, and court costs. However, if the benefit pursued does not exceed one thousand dollars, the term of imprisonment shall not exceed six months, or the fine shall not exceed one thousand dollars, or both, on each count.

(2) The following acts shall be punishable as provided in Paragraph (1) of this Subsection:

(a) Committing any fraudulent insurance act as defined in R.S. 22:1923.

(b) Presenting or causing to be presented any written or oral statement including computer-generated documents as part of or in support of or denial of a claim for payment or other benefit pursuant to an insurance policy, knowing that such statement contains any false, incomplete, or fraudulent information concerning any fact or thing material to such claim or insurance policy.

§1967. Power of commissioner of insurance

The commissioner of insurance shall have power to examine and investigate the affairs of every person engaged in the business of insurance, including violations of R.S. 22:1902 et seq., in order to determine whether such person has been or is engaged in any unfair method of competition or in any unfair or deceptive act or practice prohibited by this Part.

VIOLATIONS OF LAW

The actions of Mr. Moore and Roofing Guys described herein constitute violation of La. R.S. 22:1693.A, and La. R.S. 22:1924.A.(2)(a), as defined by La. R.S. 22:1923.

COMMISSIONER'S ACTION:

As a result of the investigation and documentation in possession of the LDI, and in accordance with La. R.S. 22:18, the LDI has determined that emergency action is required to protect the public health, safety, and welfare. Therefore, the Louisiana Commissioner of Insurance hereby orders **Zechariah Moore** and **Roofing Guys, LLC** to **CEASE AND DESIST** from the violations of law referenced herein.

YOUR ACTION:

Pursuant to La. R.S. 22:2191(A)(2), any person aggrieved by an act of the Commissioner may request a hearing. You must make a written demand for an appeal within thirty (30) days from the date of this notice. Failure to file a written demand for an appeal within thirty (30) days from this notice will preclude your right to an administrative hearing.

Pursuant to La. R.S. 22:2191(B), your written demand for an appeal (1) shall reference the particular sections of the statutes and rules involved; (2) shall provide a short and plain statement of the matters asserted for review; and (3) shall attach a copy of the order or decision that you are appealing. Appealing this notice does not stay the action of the Commissioner of Insurance. Pursuant to La. R.S. 22:2204, you must request and be granted a stay of this action by the Division of Administrative Law. Your request for a stay may be included in your appeal. Your written demand for an appeal shall be filed with the Louisiana Department of Insurance at the addresses below:

Louisiana Department of Insurance
Attn: J. David Caldwell, Executive Counsel
P.O. Box 94214
Baton Rouge, LA 70804-9214

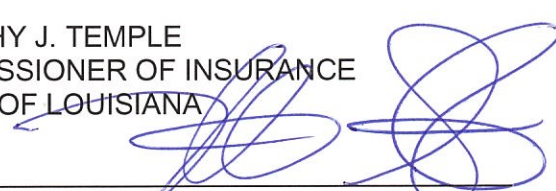
File in Person at:
1702 N. Third Street
Baton Rouge, LA 70802

Telephone: (225) 342-4673
Fax: (225) 342-1632

Signed in Baton Rouge, Louisiana this 1st day of October 2024.

TIMOTHY J. TEMPLE
COMMISSIONER OF INSURANCE
STATE OF LOUISIANA

BY:



Nathan Strebeck
Deputy Commissioner
Office of Insurance Fraud
Louisiana Department of Insurance
Telephone: (225) 219-5819

CERTIFICATE OF SERVICE

Article # 9589 0710 5270 0160 8444 42
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Article # 9589 0710 5270 0160 8444 73

I do hereby certify that I have this day served the foregoing document upon **Zechariah "Zack" Moore and Roofing Guys, LLC** properly addressed with postage paid, this 1st day of October 2024.



Jaclyn M. Blackwell
Compliance Investigator