FILED
NOV 15 2024
INSURANCE REGULATION
Docketed by: FP

OFFICE OF INSURANCE REGULATION

MICHAEL YAWORSKY
COMMISSIONER

Index: OIR 2024-150

IN THE MATTER OF:

CASE NO.: 400184 -24-CO

STERLING CASUALTY INSURANCE COMPANY
_____/

CONSENT ORDER

THIS CAUSE came for consideration as the result of STERLING CASUALTY INSURANCE COMPANY's ("STERLING CASUALTY") failure to timely file its Private Passenger Automobile Excessive Profits ("PPAX") Report with the FLORIDA OFFICE OF INSURANCE REGULATION ("OIR") as required by sections 627.915(1) and 627.066, Florida Statutes. Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the OIR hereby finds as follows:

1. The OIR has jurisdiction over the subject matter and the parties herein. STERLING CASUALTY is an insurer authorized to transact business in Florida and subject to regulation by the OIR, pursuant to the Florida Insurance Code.

2. In May 2024, the OIR issued a data call notice for PPAX profits reporting to each insurer or insurer group required to submit this data.

3. Insurers were required to submit data for the PPAX report by July 1, 2024.

4. Section 627.915(1) requires each insurer that issues private passenger automobile policies in Florida to file a PPAX report on or before July 1.

5. STERLING CASUALTY failed to timely file its 2024 PPAX report with the OIR, which was due on July 1, 2024.

6. On July 10, 2024, STERLING CASUALTY filed its 2024 PPAX report with the OIR.

7. Section 624.4211(1), Florida Statutes, provides that if the OIR finds that one or more grounds exist for the discretionary revocation or suspension of a certificate of authority issued under chapter 624, Florida Statutes, the OIR may, in lieu of such revocation or suspension, impose a fine upon the insurer.

8. The OIR finds that STERLING CASUALTY has violated sections 627.915(1), and 627.066, Florida Statutes. The OIR deems the violation as warranting a fine in the amount of $3,000 for the violation pursuant to section 624.4211(2).

9. STERLING CASUALTY agrees that within 10 days of the execution of this Consent Order, STERLING CASUALTY shall pay an administrative fine in the amount of $3,000 U.S. Dollars ("USD") and administrative costs of $2,000 USD to the OIR.

10. Any deadlines, reporting requirements, other provisions, or requirements set forth in this Consent Order may be altered or terminated by written approval of the OIR. Such approval must be requested in writing prior to any proposed deviation from the terms of this Consent Order.

11. STERLING CASUALTY agrees that, upon execution of this Consent Order, failure to adhere to one or more of the terms and conditions contained herein may result, without further proceedings, in the OIR suspending, revoking, or taking other administrative action as it deems appropriate upon STERLING CASUALTY's certificate of authority in this state in accordance with sections 120.569(2)(n) and 120.60(6), Florida Statutes.

12. STERLING CASUALTY additionally agrees that, upon execution of this Consent Order, failure to adhere to one or more of the terms and conditions contained herein may subject STERLING CASUALTY to such administrative action as the OIR deems appropriate as specifically authorized by law.

13. STERLING CASUALTY additionally agrees that any future violations of the statutes or rules named herein may be deemed willful, subjecting STERLING CASUALTY to penalties as the OIR deems appropriate.

14. STERLING CASUALTY expressly waives a hearing in this matter, the making of findings of fact and conclusions of law by the OIR, and all further and other proceedings herein to which it may be entitled by law or rules of the OIR. STERLING CASUALTY hereby knowingly and voluntarily waives all rights to challenge or to contest this Consent Order in any forum available to it, now or in the future, including the right to any administrative proceeding, state or federal court action, or any appeal.

15. Except as noted above, each party to this action shall bear its own costs.

16. The parties agree that this Consent Order shall be deemed to be executed when the OIR has signed a copy of this Consent Order bearing the notarized signature of the authorized representative of STERLING CASUALTY.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

WHEREFORE, the agreement between STERLING CASUALTY INSURANCE COMPANY and the FLORIDA OFFICE OF INSURANCE REGULATION, the terms and conditions of which are set forth above, is APPROVED.

All terms and conditions contained herein are hereby ORDERED.

DONE AND ORDERED this 15th day of November, 2024.

Michael Yaworsky, Commissioner
Office of Insurance Regulation

By execution hereof, STERLING CASUALTY INSURANCE COMPANY, consents to entry of this Consent Order, agrees without reservation to all the above terms and conditions, and shall be bound by all provisions herein. The undersigned represents that they have the authority to bind STERLING CASUALTY INSURANCE COMPANY, to the terms and conditions of this Consent Order.

Corporate Seal

STERLING CASUALTY INSURANCE COMPANY

By: _____

Print Name: Charles J. Williamson

Title: VP + CFO

Date: 11/7/24

STATE OF California

COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization, this 7 day of NOV. 2024, by Vera Perez (name of person) as _____ (type of authority; e.g., officer, trustee, attorney in fact) for _____ (company name).

Vera Carmen Perez
(Signature of the Notary)

_____
(Print, Type or Stamp Commissioned Name of Notary)

Personally Known _____ OR Produced Identification ✓

Type of Identification Produced CA DL

My Commission Expires 7-20-2025

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)
On 11/7/2024 before me, Vera Perez, Notary,
Date *Here Insert Name and Title of the Officer*
personally appeared Charles Williamson
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

VERA CARMEN PEREZ
Notary Public – California
Orange County
Commission # 2365709
My Comm. Expires Jul 20, 2025

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Vera Carmen Perez
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____
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Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

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