

# INSURER COMPLIANCE REPORT

*April 30, 2024*

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**Michael Yaworsky**  
Insurance Commissioner

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## Purpose and Scope

Pursuant to section 624.315(4), Florida Statutes (F.S.), the Florida Office of Insurance Regulation (OIR or office) shall:

*Create a report detailing all actions of the office to enforce insurer compliance with this code and all rules and orders of the office or department during the previous year. For each of the following, the report must detail the insurer or other licensee or registrant against whom such action was taken; whether the office found any violation of law or rule by such party, and, if so, detail such violation; and the resolution of such action, including any penalties imposed by the office. The report must be published on the website of the office and submitted to the commission, the President of the Senate, the Speaker of the House of Representatives, and the legislative committees with jurisdiction over matters of insurance on or before January 31 of each year. The report must include, but need not be limited to:*

- 1. The revocation, denial, or suspension of any license or registration issued by the office.*
- 2. All actions taken pursuant to s. 624.310, F.S.*
- 3. Fines imposed by the office for violations of this code.*
- 4. Consent orders entered into by the office.*
- 5. Examinations and investigations conducted and completed by the office pursuant to ss. 624.316 and 624.3161, F.S.*
- 6. Investigations conducted and completed, by line of insurance, for which the office found violations of law or rule but did not take enforcement action.*

*Each quarter, the office shall create a report detailing all actions of the office to enforce insurer compliance during the previous quarter. The report must include, but need not be limited to, the subjects that must be included in the annual report under paragraph (a). The report must be submitted to the commission, the President of the Senate, the Speaker of the House of Representatives, and the legislative committees with jurisdiction over matters of insurance. The report is due on or before April 30, July 31, October 31, and January 31, respectively, for the immediately preceding quarter. The report due January 31 may be included within the annual report required under paragraph (a).*

*The office need not include within any report required under this subsection information that would violate any confidentiality provision included within any agreement, order, or consent order entered into or adopted by the office.*

## Organization of the Report

OIR is responsible for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Florida Insurance Code (this code or the Code) or Chapter 636, F.S.

This report details market conduct actions taken by OIR's property and casualty and life and health market regulation and financial oversight business units against regulated entities during the first quarter of 2024 (January 1 – March 31, 2024).

Previous reports are available [here](#).

### **Regulated Entities License**

#### ***The revocation, denial, or suspension of any license or registration issued by the office***

During the first quarter of 2024, OIR did not issue any orders of revocation, denial, or suspension of any license or registration issued by OIR.

### **All Actions Taken Pursuant to s. 624.310, F.S.**

During the first quarter of 2024, OIR did not identify or initiate any investigations for companies reported as operating as an unlicensed entity.

Previous consent orders issued against unlicensed entities are available on OIR's website [here](#).

### **Fines**

#### ***Fines imposed by the office for violations of this code***

Fines imposed against insurers serves as a market regulation penalty following an examination or investigation. Section 624.4211(1), F.S., provides that if OIR finds that one or more grounds exist for the discretionary revocation or suspension of a certificate of authority issued under Chapter 624, F.S. OIR may, in lieu of such revocation or suspension, impose a fine upon the insurer. Upon examination, a violation of the Code could result in any of the following:

- For nonwillful violations, OIR may issue fines up to \$25,000 per violation, up to an aggregate amount of \$100,000 for all nonwillful violations arising out of the same action, related to a covered loss or claim caused by an emergency for which the Governor declared a state of emergency pursuant to s. 252.36, F.S.
- For all other nonwillful violations arising out of the same action, OIR may issue fines up to \$12,500 per violation, up to an aggregate amount of \$50,000.
- For knowing and willful violations of a lawful order or rule of the office or commission or a provision of this code, OIR may impose a fine upon the insurer up to \$200,000 for each such violation, up to an aggregate amount of \$1 million for violations arising out of the same action, related to a covered loss or claim caused by an emergency for which the Governor declared a state of emergency pursuant to s. 252.36, F.S.
- For all other knowing and willful violations arising out of the same action, OIR may issue fines up to \$100,000 per violation, up to an aggregate amount of \$500,000.

During the first quarter of 2024, OIR issued fines to 10 insurers. Details for each fine are available below:

Company	Violation	Line of Insurance	Fine Imposed	Consent Order
Accordia Life and Annuity Company	Failure to plan and execute a suitable conversion plan for Florida life insurance policies novated by Athene to Accordia.	Life	\$1,542,000	<a href="#">241915-19</a> – Issued January 16, 2024
Fire Insurance Exchange	Failure to timely file its Commercial and Personal Residential Property Supplemental Quarterly Report pursuant to s. 624.424(10)(a), F.S.	Reciprocal	\$12,500	<a href="#">322689-24</a> – Issued March 4, 2024
First Premium, Inc.	Violation of one or more provisions of the Florida Insurance Code outlined in their 2023 Market Conduct Examination pursuant to s. 627.834(2), F.S.	Premium Finance	\$3,700	<a href="#">321738-24</a> – Issued February 19, 2024
Focus Finance, LLC	Violation of one or more provisions of the Florida Insurance Code outlined in their 2022 Market Conduct Examination pursuant to s. 627.834, F.S.	Premium Finance	\$1,000	<a href="#">320759-23</a> – Issued February 5, 2024
GOTOPREMIUMFINANCE.COM	Violation of one or more provisions of the Florida Insurance Code outlined in their 2022 Market Conduct Examination pursuant to s. 627.834, F.S.	Premium Finance	\$2,500	<a href="#">314252-23</a> – Issued January 10, 2024
Heritage Property & Casualty Insurance Company	Failure to provide full insurable value based on the replacement cost of the property to be insured pursuant to s. 718.111, F.S.	Property & Casualty	\$10,000	<a href="#">317783-23</a> – Issued February 29, 2024
Insurance Payment Company	Violation of one or more provisions of the Florida Insurance Code outlined in their	Premium Finance	\$8,800	<a href="#">323102-24</a> – Issued February 28, 2024

	2023 Market Conduct Examination pursuant to s. 627.834(2), F.S.			
Markel Global Reinsurance Company	Failure to timely file its Commercial and Personal Residential Property Supplemental Quarterly Report pursuant to s. 624.424(10)(a), F.S.	Property & Casualty	\$3,000	<a href="#">322691-42</a> – Issued March 4, 2024
Softheon, Inc.	Administering business on behalf of authorized insurer with Florida residents without a Certificate of Authority as an Insurance Administrator in Florida pursuant to s. 626.8805(1), F.S.	Third Party Administrator	\$50,000	<a href="#">323247-24</a> – Issued March 4, 2024
Spartan Financial Services Corporation	Violation of one or more provisions of the Florida Insurance Code outlined in their 2022 Market Conduct Examination pursuant to s. 627.834, F.S.	Premium Finance	\$5,900	<a href="#">320368-23</a> – Issued January 16, 2024

## Examinations and Investigations

*Examinations and investigations conducted and completed by the office pursuant to ss. 624.316 and 624.3161, F.S.*

### Financial Examinations

OIR monitors the financial condition of regulated entities through financial examinations. OIR is statutorily required to conduct a financial examination of each domestic insurer at least once every five years. During the first quarter of 2024, OIR’s property and casualty financial oversight business unit completed 11 financial examinations and OIR’s life and health financial oversight business unit completed 0 financial examinations<sup>1</sup>.

Completed property and casualty financial examination reports are available on OIR’s website [here](#). Completed life and health financial examinations are available on OIR’s website [here](#).

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<sup>1</sup> This report specifically references examinations completed pursuant to ss. 624.316 and 624.3161, F.S. Some life and health financial examinations are completed pursuant to ss. 641.27 and 651.105, F.S. and are not included in this report.

A list of the financial examinations completed during the first quarter of 2024 is below:

*Property and Casualty*

- Ascendant Commercial Insurance, Inc.
- Employers Assurance Company
- Employers Preferred Insurance Company
- FFVA Select Insurance Company
- Florida Casualty Insurance Company
- Florida Family Home Insurance Company
- Florida Family Insurance Company
- Kin Interinsurance Network
- Loggerhead Reciprocal Interinsurance Exchange
- Vyrd Insurance Company
- Yel Co. Insurance

**Market Conduct Examinations**

OIR monitors insurance company products and practices for compliance with the Code through market conduct examinations. A market conduct examination, whether routine or targeted, is a formal, in-depth, technical review and sampling of an insurer’s books and records to determine if the business practices are in compliance. Consistent with nationally recognized best practices, OIR emphasizes issue-specific, complaint-driven, and targeted examinations, along with routine examinations performed at regular intervals.

During the reported timeframe, OIR completed 9 market conduct examinations. A list of the market conduct examinations is below:

Company	Line of Insurance
Amelia Finance, LLC.	Premium Finance
American Integrity Insurance Company of Florida	Property & Casualty
GOTOPREMIUMFINANCE.COM	Premium Finance
Great Lakes Insurance SE	Surplus Lines
Heritage Property and Casualty Insurance Company	Property & Casualty
Insurance Payment Company	Premium Finance
People’s Trust Insurance Company	Property & Casualty
Olympus Insurance Company	Property & Casualty
Spartan Financial Services Corporation	Premium Finance

**Market Conduct Investigations**

A market conduct investigation is a formal inquiry process through which OIR conducts a thorough review of the insurer’s business practices related to an issue and makes a determination of the outcome. Investigations are usually related to a pattern of issues and practices that can affect policyholders. Depending on the outcome of the investigation, additional regulatory action may be taken by OIR.

During the reported timeframe, OIR conducted and completed two market conduct investigations. A list of the market conduct investigations is below:

Company	Line of Insurance
Fire Insurance Exchange	Reciprocal
Market Global Reinsurance Company	Property & Casualty

### **Investigations with Violations of Law or Rule**

#### ***Investigations conducted and completed, by line of insurance, for which the office found violations of law or rule but did not take enforcement action***

As part of its market regulation efforts, on a monthly basis, OIR reviews data from multiple sources, including information from the Florida Department of Financial Services Division of Consumer Services, direct consumer complaints, data calls issued by OIR, legislators and their constituents, insurance agents, and other industry stakeholders.

OIR's primary concern is that consumers' issues are properly and timely resolved. If an issue is identified, OIR can take action through an informal inquiry, investigation, or examination.

During the first quarter of 2024, OIR did not conduct and complete any investigation in which a violation of law or rule was found but enforcement action was not taken.





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