



FILED

JUN 07 2023

INSURANCE REGULATION

Docketed by:

OFFICE OF INSURANCE REGULATION

MICHAEL YAWORSKY
COMMISSIONER

IN THE MATTER OF:

CASE NO.: 309618-23

DIAMOND STATE INSURANCE COMPANY
_____ /

CONSENT ORDER

THIS CAUSE came on for consideration as the result of DIAMOND STATE INSURANCE COMPANY's ("DIAMOND") failure to timely file its Property & Casualty Calendar Year ("PCCY") Experience Reporting data with the FLORIDA OFFICE OF INSURANCE REGULATION ("OIR") as required by Sections 627.915(2) and 627.915(5), 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. DIAMOND is an insurer authorized to transact business in Florida and subject to regulation by the OIR, pursuant to the Florida Insurance Code.
2. Insurers were required to submit data for the annual PCCY Experience Reporting data to OIR by April 1, 2023.
3. Rule 69O-171.008, Florida Administrative Code, requires each insurer that is authorized to transact fire, homeowner's, multiple peril, commercial multiple peril, product liability, workers' compensation, private passenger automobile liability, commercial automobile liability, private passenger automobile physical damage, commercial automobile physical

damage, directors' and officers', or other liability insurance to file Form OIR-D0-308, "Florida Property and Casualty Insurance Calendar Year Experience," with the OIR covering the preceding calendar year on or before April 1 of each year.

4. DIAMOND failed to timely file its 2022 PCCY Experience Reporting data with the OIR, which was due on April 1, 2023.

5. On April 13, 2023, DIAMOND filed its 2022 PCCY Experience Reporting data with the OIR.

6. 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.

7. The OIR finds that DIAMOND has violated Sections 627.915(2) and/or 627.915(5), Florida Statutes. The OIR deems the violation as non-willful warranting a fine in the amount of \$2,500 for the violation pursuant to Section 624.4211(2), Florida Statutes.

8. DIAMOND agrees that within 10 days of the execution of this Consent Order, DIAMOND shall pay an administrative fine in the amount of \$2,500 U.S. Dollars ("USD") and administrative costs of \$1,000 U.S. Dollars ("USD") to the OIR. DIAMOND shall send its payment to the address reflected on the invoice attached hereto as "Exhibit A."

9. 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.

10. DIAMOND 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 DIAMOND's license in this state in accordance with Sections 120.569(2)(n) and 120.60(6), Florida Statutes.

11. DIAMOND additionally agrees that, upon execution of this Consent Order, failure to adhere to one or more of the terms and conditions contained herein may be considered willful and subject DIAMOND to appropriate penalties and fines.

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

13. DIAMOND 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. DIAMOND 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.

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

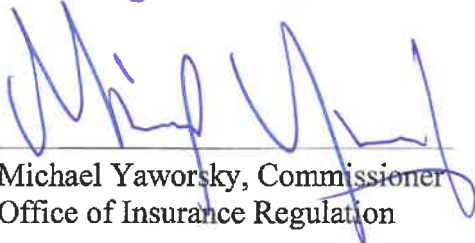
15. The parties agree that this Consent Order shall be deemed to be executed when the OIR has signed and docketed a copy of this Consent Order bearing the notarized signature of the authorized representative of DIAMOND.

WHEREFORE, the agreement between DIAMOND STATE 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 7th day of June, 2023.




Michael Yaworsky, Commissioner
Office of Insurance Regulation

By execution hereof, DIAMOND STATE 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 DIAMOND STATE INSURANCE COMPANY, to the terms and conditions of this Consent Order.

DIAMOND STATE INSURANCE COMPANY

By: Stephen W. Ries

[Corporate Seal]

Print Name: Stephen W. Ries

Title: Secretary

Date: 6/6/23

STATE OF PA

COUNTY OF Montgomery

The foregoing instrument was acknowledged before me by means of physical presence

or online notarization, this 6 day of June 2023, by Stephen W. Ries

as Secretary for Diamond State Insurance Company

(type of authority; e.g., officer, trustee, attorney in fact)

(company name)

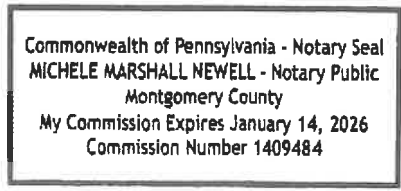
Michele Marshall Newell
(Signature of the Notary)

MICHELE MARSHALL NEWELL
(Print, Type or Stamp Commissioned Name of Notary)

Personally Known OR Produced Identification _____

Type of Identification Produced _____

My Commission Expires January 14, 2026



COPIES FURNISHED TO:

STEPHEN W. RILES
SVP & SR. CORPORATE COUNSEL
Three Bala Plaza East, Suite 300
Bala Cynwyd, Pennsylvania 19004
Telephone: (610) 668-3270
Email: sries@gbli.com

SHERYL PARKER
DIRECTOR
Florida Office of Insurance Regulation
P&C Market Regulation
200 East Gaines Street
Tallahassee, Florida 32399

LORRAINE NOVAK, ESQ.
ASSISTANT GENERAL COUNSEL
Florida Office of Insurance Regulation
200 E. Gaines Street
Tallahassee, Florida 32399
Telephone: (850) 413-4292
Email: Lorraine.Novak@fleur.com