

FILED

JAN 10 2024

INSURANCE REGULATION
Docketed by: ES



OFFICE OF INSURANCE REGULATION

MICHAEL YAWORSKY
COMMISSIONER

IN THE MATTER OF:

CASE NO.: 314252-23 CO

GOTOPREMIUMFINANCE.COM /

CONSENT ORDER

THIS CAUSE came on for consideration as the result of GOTOPREMIUMFINANCE.COM's ("GOTOPREMIUM") violation of one or more provisions of the Florida Insurance Code as outlined in their 2022 Market Conduct Examination conducted by the FLORIDA OFFICE OF INSURANCE REGULATION ("OFFICE"). Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the OFFICE hereby finds as follows:

1. The OFFICE has jurisdiction over the subject matter and the parties herein. GOTOPREMIUM is a premium finance company authorized to transact business in Florida and subject to regulation by the OFFICE, pursuant to the Florida Insurance Code.
2. On or about June 14, 2023, the OFFICE conducted a market conduct examination of GOTOPREMIUM.
3. The OFFICE documented violations of the Florida Insurance Code.
4. In six instances, the OFFICE documented that GOTOPREMIUM issued Notice of Rescission forms that had not been approved by OFFICE at the time of the examination.

5. Section 627.848(1)(e), Florida Statutes, provides that a premium finance company shall, within 15 days after the account has been overpaid, either refund to the insured for the insured's benefit any refund due on his or her account or, if the refund is sent or credited to the agent, return or credit to the agent the amount of the overpayment and notify the insured of the refunded amount.

6. In 19 instances, the OFFICE documented that GOTOPREMIUM failed to timely refund or credit the insured for overpayment.

7. Section 627.832(1)(b), Florida Statutes, provides that the OFFICE may deny, suspend, revoke, or refuse to renew any license if it finds that the licensee has violated any provision of this part or any rule of the commission.

8. Section 627.833, Florida Statutes, provides that if the OFFICE finds that one or more grounds exist for the discretionary revocation or suspension of a license issued under Chapter 627, Florida Statutes, the OFFICE may, in lieu of such revocation or suspension, impose a fine upon the premium finance company.

9. The OFFICE finds that GOTOPREMIUM has violated Sections 627.838(1) and 627.848(1)(e), Florida Statutes.

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

11. Any deadlines, reporting requirements, other provisions, or requirements set forth in this Consent Order may be altered or terminated by written approval of the OFFICE. Such

approval must be requested in writing prior to any proposed deviation from the terms of this Consent Order.

12. GOTOPREMIUM 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 OFFICE suspending, revoking, or taking other administrative action as it deems appropriate upon GOTOPREMIUM's license in this state in accordance with Sections 120.569(2)(n) and 120.60(6), Florida Statutes.

13. GOTOPREMIUM 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 GOTOPREMIUM to such administrative action as the OFFICE deems appropriate as specifically authorized by law.

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

15. GOTOPREMIUM expressly waives a hearing in this matter, the making of findings of fact and conclusions of law by the OFFICE, and all further and other proceedings herein to which it may be entitled by law or rules of the OFFICE. GOTOPREMIUM 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.

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

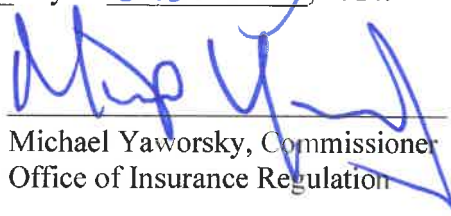
17. The parties agree that this Consent Order shall be deemed to be executed when the OFFICE has signed and docketed a copy of this Consent Order bearing the notarized signature of the authorized representative of GOTOPREMIUM.

WHEREFORE, the agreement between GOTOPREMIUMFINANCE.COM 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 10 day of January, 2024.




Michael Yaworsky, Commissioner
Office of Insurance Regulation

By execution hereof, GOTOPREMIUMFINANCE.COM 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 GOTOPREMIUMFINANCE.COM, to the terms and conditions of this Consent Order.

GOTOPREMIUMFINANCE.COM

By: _____



[Corporate Seal]

Print Name: Jeffrey Scott Greenbaum

Title: Senior Executive Vice President

Date: 12/28/2023

STATE OF _____

COUNTY OF _____

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

or online notarization, this ____ day of _____ 2023, by _____

(name of person)

as _____ for _____

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

(company name)

*SEE
attached*

(Signature of the Notary)

(Print, Type or Stamp Commissioned Name of Notary)

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

My Commission Expires _____

CALIFORNIA 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 Ventura

On December 28, 2023 before me, Gina Everett, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Jeffrey Scott Greenbaum
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.

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.



Place Notary Seal and/or Stamp Above

Signature Gina Everett
Signature of Notary Public

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: Consent Order

Document Date: 12-28-2023 Number of Pages: 6

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____

Partner – Limited General Partner – Limited General

Individual Attorney in Fact Individual Attorney in Fact

Trustee Guardian or Conservator Trustee Guardian or Conservator

Other: _____ Other: _____

Signer is Representing: _____ Signer is Representing: _____

COPIES FURNISHED TO:

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