



FILED

MAY 09 2024

INSURANCE REGULATION

Docketed by: ce

OFFICE OF INSURANCE REGULATION

MICHAEL YAWORSKY
COMMISSIONER

IN THE MATTER OF:

CASE NO.: 326790-24

LANCER INSURANCE COMPANY

CONSENT ORDER

THIS CAUSE came on for consideration as the result of LANCER INSURANCE COMPANY's ("LANCER") 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. LANCER 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 requirement to the OIR by April 1, 2024.
3. Rule 69O-171.008, Florida Administrative Code, requires each insurer that is authorized to transact fire, homeowner's, multiple peril, commercial multiple peril, medical malpractice, 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. LANCER failed to file its 2023 PCCY Experience Reporting data with the OIR, which was due on April 1, 2024.

5. On April 9, 2024, LANCER filed its 2023 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 LANCER 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 \$3,000 U.S. Dollars ("USD") for the violation, pursuant to Section 624.4211(2), Florida Statutes.

8. LANCER agrees that within 10 days of the execution of this Consent Order, LANCER shall pay an administrative fine in the amount of \$3,000 USD and administrative cost of \$1,000 USD to the OIR.

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. LANCER 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 LANCER's certificate of authority in this state, in accordance with Sections 120.569(2)(n) and 120.60(6), Florida Statutes.

11. LANCER 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 LANCER to appropriate penalties and fines.

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

13. LANCER 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. LANCER 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 LANCER.

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WHEREFORE, the agreement between LANCER 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 9th day of May, 2024.



A handwritten signature in blue ink, appearing to read "Michael Yaworsky", is written over a horizontal line.

Michael Yaworsky, Commissioner
Office of Insurance Regulation

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

LANCER INSURANCE COMPANY

By: [Signature]

[Corporate Seal]

Print Name: Timothy O'Sullivan

Title: CEO

Date: 4/30/24

STATE OF NEW YORK
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 30 day of APRIL 2024, by Timothy O'Sullivan (name of person) as CEO (type of authority; e.g., officer, trustee, attorney-in-fact) for LANCER INSURANCE Co. (company name).

[Signature: Felice T. Savino]
(Signature of the Notary)

FELICE T. SAVINO
(Print, Type or Stamp Commissioned Name of Notary)
FELICE T. SAVINO
Notary Public, State of New York
No. 4855672
Commission Expires April 7, 2026

Personally Known X OR Produced Identification _____

Type of Identification Produced _____

My Commission Expires 4/7/26

COPIES FURNISHED TO:

**TIMOTHY H. DELANEY
PRESIDENT**

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