STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
BUREAU OF INSURANCE
34 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0034

ANGUS S. KING, JR.
GOVERNOR

ALESSANDRO A. IUPPA
SUPERINTENDENT

RECEIVED
AUG 16 2001
MAINE BUREAU OF INSURANCE

In re:

ROYAL & SUNALLIANCE PERSONAL INS CO
TODD CAMPBELL
9300 ARROWPOINT BLVD
PO BOX 1000
CHARLOTTE NC 28201-1000

Lic #: **PCF592**

STATE OF MAINE
BUREAU OF INSURANCE

Docket No. INS – 01- 2010

CONSENT AGREEMENT:
Non-compliance with producer appointment quarterly filing for 2nd quarter ending 6/30/2000

This document is a Consent Agreement authorized by Title 5 M.R.S.A. § 9053(2), entered into between ROYAL & SUNALLIANCE PERSONAL INS CO, a corporation domiciled in NY ("Insurer"), and the Maine Bureau of Insurance.

1. The Superintendent of Insurance is the official charged with administering and enforcing Maine's insurance laws and regulations. The Bureau of Insurance is the agency with jurisdiction over same.

2. ROYAL & SUNALLIANCE PERSONAL INS CO is an insurer authorized to conduct business in the State of Maine.

3. Title 24-A M.R.S.A. §1441-A requires insurers to pay the appointment fee specified by 24-A M.R.S.A. §601. Such fees are paid on a quarterly basis, accompanied by the Maine "INSURER PRODUCER QUARTERLY FEE REPORTING FORM."

4. Bureau of Insurance records reflect that insurer's report (and fees if applicable) remain outstanding for the 2nd quarter ending June 30, 2000.

5. Title 24-A M.R.S.A. § 220 requires insurers and other persons required to be licensed to respond to all lawful inquiries of the superintendent that relate to resolution of consumer complaints involving the licensee within 14 days of receipt of the inquiry and to all other lawful inquiries of the superintendent within 30 days of receipt. Section 220 further specifies that if a substantive response can not in good faith be provided within the time period, the person required to respond shall so advise the superintendent and provide the reason for the inability to respond.

6. Bureau records indicate that the Bureau has forwarded at least one reminder notice to the insurer's address as reflected therein, concerning the report (and fees if applicable) due for the 2nd quarter ending June 30, 2000, and Bureau records further reflect that more than 30 days has elapsed, and that insurer has not responded.

7. Insurer is in violation of 24-A M.R.S.A. §220 due to its failure to respond within thirty days, and is in violation of §1441-A as to any appointments for the period ending June 30, 2000 for which insurer has failed to remit the required fee.

8. Under 24-A M.R.S.A. §12-A, the Superintendent of Insurance may assess a civil penalty of up to $500 for each violation of the Insurance Code in the case of an individual and a civil penalty of up to $2,000 for each violation in the case of a corporation or other entity other than an individual.

COVENANTS

9. In lieu of a formal proceeding to impose civil penalties or other available remedies in connection with the facts described above, insurer and the Staff of the Maine Bureau of Insurance agree to the following:

10. A formal hearing in this matter is waived and no appeal will be taken. This Consent Agreement is an enforceable final agency action within the meaning of the Maine Administrative Procedure Act.

12. At the time of executing this Consent Agreement, insurer will remit to the Maine Bureau of Insurance an administrative penalty in the amount of **$250.00,** payable to the Treasurer of the State of Maine.

13. Insurer will file all outstanding quarterly appointment reports when it executes this Consent Agreement, together with all required fees, which shall be in addition to the amount paid pursuant to paragraph 12 above.

14. Insurer will promptly file all future quarterly appointment reports and pay any applicable fees in a timely manner, as required by statute.

MISCELLANEOUS

15. Insurer understands and acknowledges that this Agreement will constitute a public record within the meaning of 1 MRSA § 402, and will be available for public inspection and copying as provided for by 1 MRSA § 408, and will be reported to the NAIC "RIRS" database.

16. Nothing herein shall prohibit the Maine Bureau of Insurance from taking any available action in the event that insurer does not comply with the above terms or in the event the Bureau receives evidence that further legal action is necessary for the protection of Maine consumers.

17. Nothing in this Agreement shall affect the rights or interests of any person who is not a party to this Agreement.

18. The Superintendent may issue a Consent Order in this matter, a copy of which is attached.

Dated: January 5, 2001

ROYAL & SUNALLIANCE PERSONAL INS CO

by: _____
(Signature)

Jeffrey M. Klein, Vice President
(printed name)

FOR THE MAINE BUREAU OF INSURANCE

Dated: Nov. 9, 2001

_____
Arthur G. Hosford, Jr.
Staff Attorney

FOR THE MAINE ATTORNEY GENERAL

Dated: November 14, 2001

_____
~~Judith Chamberlain~~ Thomas C. Sturtevant
Assistant Attorney General

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STATE OF MAINE
BUREAU OF INSURANCE

Docket No. MCINS-01- 2010

CONSENT ORDER

This proceeding arises in connection with the above insurer's failure to file its quarterly appointment report (and fees if applicable) with the Bureau of Insurance for the 2nd quarter ending June 30, 2000. For the purpose of resolving the issues without need for a hearing, the parties have entered into a Consent Agreement, a copy of which is attached and incorporated by reference. Having reviewed the Consent Agreement of the parties to this proceeding, the Superintendent hereby accepts the Agreement as a basis for this Consent Order, as follows:

> Insurer failed to comply with Title 24-A M.R.S.A. §220 as to its quarterly appointment reporting form for the quarter ending June 30, 2000, and failed to comply with §1441-A as to any appointments for the 2nd quarter ending June 30, 2000 for which insurer has failed to remit the required fee, all as further set forth in the attached Consent Agreement; therefore, it is **HEREBY ORDERED** that the provisions of the attached Consent Agreement are applicable to insurer's Maine license.

THE EFFECTIVE DATE OF THIS ORDER IS <u>March 1, 2001</u>.

Dated: January 5, 2001

Alessandro A. Iuppa
Superintendent of Insurance

Consent Order Quarterly