

No. **2022-7243**

**Official Order
of the
Texas Commissioner of Insurance**

Date: 02/22/2022

Subject Considered:

Eversports & Entertainment Insurance, Inc.
11711 N Meridian Street, Suite 800
Carmel, Indiana 46032-6965

Consent Order
TDI Enforcement File No. 28841

General remarks and official action taken:

This is a consent order with Eversports & Entertainment Insurance, Inc., formerly named Specialty Insurance Group, Inc. While working under the name Specialty Insurance Group, Inc., Eversports & Entertainment Insurance, Inc. failed to timely file surplus lines policies and related documents. Eversports & Entertainment Insurance, Inc. has agreed to pay an administrative penalty of \$550 for these violations.

Waiver

Eversports & Entertainment Insurance, Inc. acknowledges that the Texas Insurance Code and other applicable law provide certain rights. Eversports & Entertainment Insurance, Inc. waives all of these rights, and any other applicable procedural rights, in consideration of the entry of this consent order.

Findings of Fact

1. Eversports & Entertainment Insurance, Inc., organization number 16924430, holds a surplus lines license issued by the Texas Department of Insurance.

2022-7243

Commissioner's Order

Eversports & Entertainment Insurance, Inc.

Page 2 of 4

2. Pursuant to TEX. INS. CODE § 981.105(a), a surplus lines insurance agent must file with the Surplus Lines Stamping Office of Texas either:
 - a. a copy of the policy issued, or
 - b. if the policy has not yet been issued, a copy of the certificate, cover note, or other confirmation of insurance delivered to the insured.

This information is due not later than the 60th day after the later of the effective date or the issue date of new or renewal surplus lines insurance.

3. In 2020, Eversports & Entertainment Insurance, Inc. filed surplus lines policies late.
4. In March 2021, TDI assessed fees against Eversports & Entertainment Insurance, Inc. because the late-filed surplus lines policies met at least one of the conditions in TEX. INS. CODE § 981.105(d-e).
5. Eversports & Entertainment Insurance, Inc. did not timely pay the fees assessed pursuant to TEX. INS. CODE § 981.105(c-e).

Conclusions of Law


1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, and 981.105.
2. The commissioner of insurance has authority to informally dispose of this matter under TEX. INS. CODE § 82.055, TEX. GOV'T CODE § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.
3. Eversports & Entertainment Insurance, Inc. has knowingly and voluntarily waived all procedural rights to which it may have been entitled regarding the entry of this order, including, but not limited to, issuance and service of notice of intention to institute disciplinary action, notice of hearing, a public hearing, a proposal for decision, rehearing by the commissioner, and judicial review.
4. Eversports & Entertainment Insurance, Inc. violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

2022-7243

Commissioner's Order
Eversports & Entertainment Insurance, Inc.
Page 3 of 4

Order

It is ordered that Eversports & Entertainment Insurance, Inc. must pay an administrative penalty of \$550. The administrative penalty must be paid within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which the department will send after entry of this order.

DocuSigned by:

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Cassie Brown
Commissioner of Insurance

Recommended and reviewed by:


Leah Gillum, Deputy Commissioner
Enforcement Division


Allison J. Anglin, Staff Attorney
Enforcement Division

Affidavit

THE STATE OF Indiana §

§

COUNTY OF Hamilton §

§

Before me, the undersigned authority, personally appeared the affiant, who being by me duly sworn, deposed as follows:

"My name is David Nikolai. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

I hold the office of President and am the authorized representative of Eversports & Entertainment Insurance, Inc. I am duly authorized by the organization to execute this statement.

Eversports & Entertainment Insurance, Inc. has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas."

David S. Nikolai

Affiant

SWORN TO AND SUBSCRIBED before me on February 14th, 2022.

(NOTARY SEAL)



Tina Marie Moore

Signature of Notary Public

Tina Marie Moore

Printed Name of Notary Public