

No. 2017- 5099

**OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE**

Date: JUN 0 1 2017

Subject Considered:

UNIVERSAL INSURANCE COMPANY OF NORTH AMERICA
P.O. Box 50908
Sarasota, Florida 34232

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 12980

General remarks and official action taken:

This Order is in consideration of whether disciplinary action should be taken against Universal Insurance Company of North America.

WAIVER

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

FINDINGS OF FACT

The findings of fact are as follows:

1. Universal Insurance is a foreign insurer domiciled in the State of Florida and has been licensed by the Texas Department of Insurance since October 26, 2009.
2. TDI conducted an examination of Universal Insurance for the period of January 1, 2015, through December 31, 2015. The examination focused on a review of sales, advertising and marketing, underwriting and rating, claims practices, and consumer complaints of Universal Insurance.
3. The purpose of the examination was to verify compliance with the Texas Insurance Code, Chapter 28 of the Texas Administrative Code, and the Texas Personal Lines Manual.
4. The findings of the examination are set out in the Examination report dated February 2, 2017, which cited Universal Insurance for violations of the Texas Insurance Code and the Texas Administrative Code.

5. TDI's examination of 100 paid claims found that Universal Insurance allowed 10 individuals to adjust claims without holding the required license.
6. TDI's examination found two instances where Universal Insurance failed to respond to TDI's inquiry in writing not later than the 15th day after the inquiry was received.

CONCLUSIONS OF LAW

The conclusions of law are as follows:

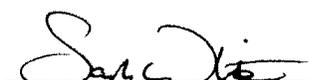
1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE chs. 751 and 862; TEX. INS. CODE §§ 38.001, 82.051-82.055 and 84.021-84.051; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has the authority to dispose of this matter informally, as set out in TEX. GOV'T CODE § 2001.056, TEX. INS. CODE §§ 36.104 and 82.055, and 28 TEX. ADMIN. CODE § 1.47.
3. Universal Insurance violated TEX. INS. CODE §§ 38.001 and 4101.051.

It is ordered that Universal Insurance Company of North America pay an administrative penalty of \$10,000 within 30 days from the date of this order. Universal Insurance Company of North America must pay the administrative penalty by cashier's check or money order payable to the State of Texas. Universal Insurance Company of North America must mail the payment to the Texas Department of Insurance, Attn: Enforcement Section, Division 40111, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.



Kevin Brady
Deputy Commissioner For Agency Affairs
Texas Department of Insurance
Delegation Order 4506

APPROVED AS TO FORM AND CONTENT



Sarah White
Staff Attorney, Enforcement Section
Texas Department of Insurance

AFFIDAVIT

STATE OF Florida §

COUNTY OF Sarasota §

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

1. "My name is Richard J. Urra. I am of sound mind, capable of making this statement, and personally acquainted with the facts stated herein.
2. I hold the office of Vice President. I am the authorized representative of Universal Insurance Company of North America and am duly authorized to execute this affidavit.
3. Universal Insurance Company of North America waives rights provided by the Texas Insurance Code and other applicable law and acknowledges the jurisdiction of the commissioner of insurance of the state of Texas.
4. Universal Insurance Company of North America has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the foregoing consent order by the commissioner of insurance of the state of Texas."



 Affiant

SWORN TO AND SUBSCRIBED before me on this 17th day of May, 2017.





 Signature of Notary Public

(NOTARY STAMP)