

No. **2022-7186**

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

Date: 01/21/2022

Subject Considered:

National Union Fire Insurance Company of Pittsburgh, PA
1271 Avenue of the Americas FL 37
New York, New York 10020-1303

Consent Order
TDI Enforcement File No. 27406

General remarks and official action taken:

This is a consent order with National Union Fire Insurance Company of Pittsburgh, PA (National Union) for failing to inform the Texas Department of Insurance (TDI) of changes to rates' effective dates on or before those effective dates. National Union has agreed to pay a \$10,000 administrative penalty.

Waiver

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

Findings of Fact

1. National Union is a foreign fire and casualty company holding a certificate of authority to operate in Texas.

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2. On June 16, 2020, National Union made two rate filings with an effective date of January 1, 2021, with TDI. One pertained to new and renewal commercial package policies, and the other pertained to new and renewal commercial automobile policies.
3. On January 12, 2021, National Union made post-submission updates to both filings asking to revise the effective dates to March 1, 2021.
4. Under 28 TEX. ADMIN. CODE § 5.9334(f), an insurer must inform TDI of a change in the effective date of a rate and rule filing on or before the effective date in the filing.

Conclusions of Law

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051–82.055, 84.021–84.044, and 801.052–801.053.
2. The commissioner has the authority to informally dispose of this matter as set forth in TEX. GOV'T CODE § 2001.056; TEX. INS. CODE §§ 36.104 and 82.055; and 28 TEX. ADMIN. CODE § 1.47.
3. National Union 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. National Union violated 28 TEX. ADMIN. CODE § 5.9334(f) by failing to inform TDI of changes to rates' effective dates on or before those effective dates.

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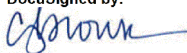
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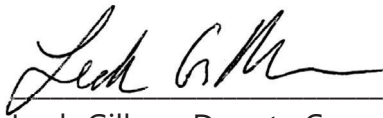
Order

It is ordered that National Union Fire Insurance Company of Pittsburgh, PA pay an administrative penalty of \$10,000 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:

FC5D7EDDFB4F8...

Cassie Brown
Commissioner of Insurance

Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Enforcement Division



Amanda Atkinson Cagle, Staff Attorney
Enforcement Division

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Affidavit

STATE OF PA §
§
COUNTY OF York §

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

"My name is Steven Harris. 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 Vice President and am the authorized representative of National Union Fire Insurance Company of Pittsburgh, PA. I am duly authorized by said organization to execute this statement.

National Union Fire Insurance Company of Pittsburgh, PA 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."

Steven R. Harris
Signed on 2022/01/11 05:40:01 -8:00

Affiant

SWORN TO AND SUBSCRIBED before me on 01/11/2022, 2022.

(NOTARY SEAL)

Commonwealth of Pennsylvania - Notary Seal
Angela Kraft, Notary Public
York County
My Commission Expires Nov 15, 2025
Commission Number 1219662

Notary Stamp 2022/01/11 06:40:01 PST

C1A8392D99FD

Angela Kraft
Signed on 2022/01/11 05:40:01 -8:00

Signature of Notary Public

Angela Kraft

Printed Name of Notary Public

Notary Commission Exp Date Nov. 15, 2025

Notarial act performed by audio-visual communication

THIS NOTARIAL ACT INVOLVED THE USE OF COMMUNICATION TECHNOLOGY PROVIDED BY DOCVERIFY.

75E2168A-0143-45AC-B5DE-BC792DD7BE62 --- 2022/01/11 04:50:21 -8:00 --- Remote Notary

