

No. **2022-7578**

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

Date: 11/01/2022

Subject Considered:

MARSH USA, INC.
1166 Avenue of the Americas
New York, NY 10036

Consent Order
TDI Enforcement File No. 30652

General remarks and official action taken:

This is a consent order with Marsh USA, Inc. Marsh USA, Inc. failed to timely file surplus lines policies and related documents. Marsh USA, Inc. has agreed to pay an administrative penalty of \$5,200 for these violations.

Waiver

Marsh USA, Inc. acknowledges that the Texas Insurance Code and other applicable law provide certain rights. Marsh USA, 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. Marsh USA, Inc., organization identification number 17246, holds a surplus lines license issued by the Texas Department of Insurance.
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.

2022-7578

Commissioner's Order

Marsh USA, Inc.

Page 2 of 4

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.

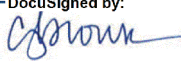
3. In 2021, Marsh USA, Inc. filed surplus lines policies late.
4. The commissioner previously disciplined Marsh USA, Inc. for violating TEX. INS. CODE § 981.105(a) in Official Order No. 11-0174, entered on February 24, 2011; in Official Order No. 3551, entered on September 22, 2014; in Official Order No. 4419, entered on April 28, 2016; and in Official Order No. 2016-4696, entered on October 7, 2016.

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. Marsh USA, 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. Marsh USA, Inc. violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

Order

It is ordered that Marsh USA, Inc. must pay an administrative penalty of \$5,200 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:

FC5D7EDDFFB4F8...

Cassie Brown
Commissioner of Insurance

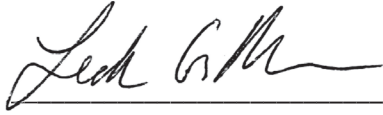
2022-7578

Commissioner's Order

Marsh USA, Inc.

Page 3 of 4

Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Fraud and Enforcement Division



Whitney Fraser, Director
Enforcement

Affidavit

THE STATE OF New York §

COUNTY OF Orange §

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

"My name is Diana Ivey. 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 Senior Vice President and am the authorized representative of Marsh USA, Inc. I am duly authorized by the organization to execute this statement.


Marsh USA, 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."


Affiant

SWORN TO AND SUBSCRIBED before me on October 13th, 2022.

(NOTARY SEAL)




Signature of Notary Public

CONSUELO SARITSON
Printed Name of Notary Public