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INSURANCE DEPARTMENT

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ADMIN HEARINGS OFFICE BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

IN RE:

ASSURED PARTNERS OF OHIO, LLC
3900 Kinross Lakes Parkway #300
Richfield, OH 44286

Violations:

40 P.S. § 310.11(1), (13) and (20)

Respondent.

Docket No. CO20-03-003

CONSENT ORDER

AND NOW, this 7th day of April, 2020, this Order is hereby
issued by the Insurance Department of the Commonwealth of Pennsylvania pursuant to
the statutes cited above and in disposition of the matter captioned above.

1. Respondent hereby admits and acknowledges that it has received proper
notice of its rights to a formal administrative hearing pursuant to the Administrative
Agency Law, 2 Pa.C.S. § 101, et seq., or other applicable law.

2. Respondent hereby waives all rights to a formal administrative hearing in
this matter, and agrees that this Consent Order, and the Findings of Fact and
Conclusions of Law contained herein, shall have the full force and effect of an Order
duly entered in accordance with the adjudicatory procedures set forth in the
Administrative Agency Law, supra, or other applicable law.

FINDINGS OF FACT

3. The Insurance Department finds true and correct each of the following Findings of Fact:

- (a) Respondent is AssuredPartners of Ohio, LLC and maintains a record of its address with the Pennsylvania Insurance Department as 3900 Kinross Lakes Parkway #300, Richfield, OH 44286.
- (b) Respondent is, and at all times relevant hereto has been, a licensed non-resident producer agency.
- (c) Respondent failed to pay Pennsylvania state taxes in 2012.
- (d) Respondent was notified by the Pennsylvania Department of Revenue by mail on March 3, 2015 and June 30, 2017, that it was non-compliant with its tax obligations, which could result in actions against its Pennsylvania Insurance Department issued license.
- (e) Respondent had a lien against it totaling \$53,318.39 under Allegheny County Court of Common Pleas docket number GD15-6128 for non-compliance with its Pennsylvania state tax obligations.
- (f) Respondent on its renewal applications in 2016 and 2018 improperly answered "No" to the question asking if it had failed to pay state income tax or comply with any court order directing payment of state income tax.

- (g) Respondent has since satisfied the lien and is compliant with it's Pennsylvania state taxes.

CONCLUSIONS OF LAW

4. In accord with the above Findings of Fact and applicable provisions of law, the Insurance Department concludes and finds the following Conclusions of Law:

- (a) Respondent is subject to the jurisdiction of the Pennsylvania Insurance Department.
- (b) 40 P.S. § 310.11(1) prohibits a licensee or an applicant for a license from providing incorrect, misleading, incomplete or false information to the Department in a license application.
- (c) Respondent's activities described in paragraph 3(f) violate 40 P.S. § 310.11(1).
- (d) 40 P.S. § 310.11(13) prohibits a licensee or an applicant from failing to pay state income tax or comply with any administrative or court order directing the payment of state income tax.
- (e) Respondent's activities described in paragraphs 3(c) through 3(e) violate 40 P.S. § 310.11(13).

- (f) 40 P.S. § 310.11(20) prohibits a licensee or an applicant from demonstrating a lack of general fitness, competence or reliability sufficient to satisfy the Department that the licensee is worthy of licensure.
- (g) Respondent's activities described in paragraphs 3(c) through 3(f) violate 40 P.S. § 310.11(20).
- (h) Respondents' violations of 40 P.S. §§ 310.11(1), (13) and (20) and are punishable by the following, under 40 P.S. § 310.91:
 - (i) suspension, revocation or refusal to issue the license;
 - (ii) imposition of a civil penalty not to exceed five thousand dollars (\$5,000.00) for every violation of the Act;
 - (iii) an order to cease and desist; and
 - (iv) any other conditions as the Commissioner deems appropriate.

ORDER

5. In accord with the above Findings of Fact and Conclusions of Law, the Insurance Department orders and Respondent consents to the following:

- (a) Respondent shall cease and desist from engaging in the activities described herein in the Findings of Fact and Conclusions of Law.
- (b) Respondent shall pay a civil penalty of One Thousand Dollars (\$1,000.00) to the Commonwealth of Pennsylvania. Payment of this penalty shall be

made by certified check or money order, payable to the Commonwealth of Pennsylvania. Payment should be directed to Bureau of Licensing and Enforcement, 1227 Strawberry Square, Harrisburg, Pennsylvania 17120. Payment may be enclosed with the Consent Order, but must be paid in any event no later than fourteen (14) days after the date of the Consent Order.

- (c) Respondent shall be compliant with all tax obligations and otherwise timely and accurately filing any and all requisite tax returns.
- (d) Upon demand by the Insurance Department, Respondent shall provide full, complete and immediate proof of compliance with any obligation with the Department of Revenue, in a manner and form acceptable to the Insurance Department. Further Respondent acknowledges that this provision must be strictly adhered to; failure to comply with this provision shall, in and of itself, be a material breach of this Order and an independent basis for suspending and/or revoking its license.
- (e) Should Respondent fail to make any payment by its due date, Respondent's licenses may be immediately suspended or revoked by the Insurance Department. Respondent acknowledges that this provision must be strictly adhered to; failure to comply with this provision shall, in and of itself, be a material breach of this Order and an independent basis for suspending and revoking its license.
- (f) Respondent's licenses may be immediately suspended by the Department following its investigation and determination that (i) any terms of this

Order have not been complied with, or (ii) any confirmed complaint against Respondent is accurate and a statute or regulation has been violated. The Department's right to act under this section is limited to a period of five (5) years from the date of this Order.

- (g) Respondent specifically waives its right to prior notice of said suspension, but will be entitled to a hearing upon written request received by the Department no later than thirty (30) days after the date the Department mailed to Respondent by certified mail, return receipt requested, notification of said suspension, which hearing shall be scheduled for a date within sixty (60) days of the Department's receipt of Respondent's written request.
- (h) At the hearing referred to in paragraph 5(g) of this Order, Respondent shall have the burden of demonstrating that it is worthy of a license.
- (i) In the event Respondent's licenses are suspended pursuant to paragraph 5(f) above, and Respondent either fails to request a hearing within thirty (30) days or at the hearing fails to demonstrate that it is worthy of a license, Respondent's suspended licenses shall be revoked.

6. In the event the Insurance Department find that there has been a breach of any of the provisions of this Order, based upon the Findings of Fact and Conclusions of Law contained herein, the Department may pursue any and all legal remedies available, including but not limited to the following: The Department may enforce the provisions of this Order in an administrative action pursuant to the Administrative

Agency Law, supra, or other relevant provisions of law; or, if applicable, the Department may enforce the provisions of this Order in any other court of law or equity having jurisdiction.

7. Alternatively, in the event the Insurance Department finds there has been a breach of any of the provisions of this Order, the Department may declare this Order to be null and void and, thereupon, reopen the entire matter for appropriate action pursuant to the Administrative Agency Law, supra, or other relevant provision of law.

8. In any such enforcement proceeding, Respondent may contest whether a breach of the provisions of this Order has occurred but may not contest the Findings of Fact and Conclusions of Law contained herein.

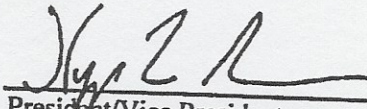
9. Respondent hereby expressly waives any relevant statute of limitations and application of the doctrine of laches for purposes of any enforcement of this Order.

10. This Order constitutes the entire agreement of the parties with respect to the matters referred to herein, and it may not be amended or modified except by an amended order signed by all the parties hereto.

11. This Order shall be final upon execution by the Insurance Department. Only the Insurance Commissioner or a duly authorized delegee is authorized to bind the Insurance Department with respect to the settlement of the alleged violations of

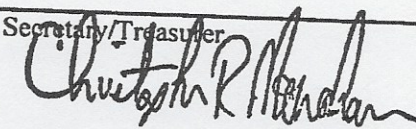
law contained herein, and this Consent Order is not effective until executed by the
Insurance Commissioner or duly authorized delegee.

BY: ASSURED PARTNERS OF OHIO, LLC,
Respondent



President/Vice President

Secretary/Treasurer



COMMONWEALTH OF PENNSYLVANIA
By: CHRISTOPHER R. MONAHAN
Deputy Insurance Commissioner