

No. 2017 - 5281

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

Date: NOV 14 2017

Subject Considered:

GRIFFIN UNDERWRITING SERVICES A DIVISION OF COCHRANE, GRIFFIN, &
COMPANY, INC.
P.O. Box 3867
Bellevue, Washington 98009

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 14085

General remarks and official action taken:

This order is in consideration of whether disciplinary action should be taken against Griffin Underwriting Services a Division of Cochrane, Griffin, & Company, Inc. for failure to timely file new or renewal surplus lines insurance policies with the Surplus Lines Stamping Office of Texas.

WAIVER

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

FINDINGS OF FACT

1. Griffin Underwriting Services organization identification number 46123, 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.

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 2016, Griffin Underwriting Services filed surplus lines policies late.

4. The commissioner previously disciplined Griffin Underwriting Services for violating TEX. INS. CODE § 981.105(a) in Official Order Nos. 4440, entered on May 6, 2016, and 2016-4692, entered on October 7, 2016.

CONCLUSIONS OF LAW

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE § 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. Griffin Underwriting Services 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. Griffin Underwriting Services violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

Griffin Underwriting Services is ordered to pay an administrative penalty of \$10,100.00. The administrative penalty must be paid within 30 days from the date of this order. The administrative penalty must be paid by cashier's check or money order made payable to the "State of Texas." Mail the administrative penalty to the Texas Department of Insurance, Attn: Enforcement Section, Division 60851, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.

The commissioner further orders Griffin Underwriting Services to implement internal policies, procedures, and other safeguards designed to ensure future surplus lines policies and related documents are timely filed in compliance with TEX. INS. CODE § 981.105(a).



Kent C. Sullivan
Commissioner of Insurance

For the Department:



Sarah White, Staff Attorney

