

No. 2018- 5524

OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE

Date: MAY 2 4 2018

Subject Considered:

AMICA MUTUAL INSURANCE COMPANY
PO Box 6008
Providence, Rhode Island 02940

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 14383

General remarks and official action taken:

The subject of this order is whether disciplinary action should be taken against Amica Mutual Insurance Company (Amica).

WAIVER

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

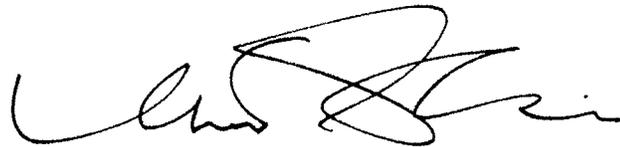
FINDINGS OF FACT

1. Amica is a foreign fire and casualty insurance company holding a certificate of authority to transact business in Texas.
2. During the course of an investigation conducted by another department of insurance, the Texas Department of Insurance was informed of insurance policies being sold to Texas residents by an unlicensed employee of Amica.
3. An employee of Amica solicited and received applications for insurance in this state, and aided in the transaction of the business of the insurer.
4. The employee was not properly licensed in Texas to perform the acts of an agent.
5. Amica has terminated the responsible employee.
6. Amica represents it has committed resources to ensure future compliance including staff training, implementation of a licensing audit process, and the reorganization of their compliance group.

CONCLUSIONS OF LAW

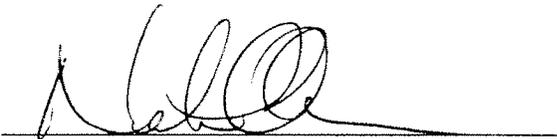
1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.051, 801.052-801.053, 912.002, 912.101-912.102, and 4001.101; and TEX. GOV'T CODE §§ 2001.051-2001.078.
2. The commissioner of insurance has authority to informally dispose of this matter under TEX. INS. CODE §§ 36.104 and 82.055, TEX. GOV'T CODE § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.
3. Amica 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.
5. Amica violated TEX. INS. CODE § 4001.101 by having an employee perform the acts of an agent on Amica's behalf without being properly licensed.

It is ordered that Amica pay an administrative penalty of \$10,000. 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.



Kent C. Sullivan
Commissioner of Insurance

For the Department:



Natalie Olvera, Staff Attorney

