

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 1, 2003

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

v.

CASE NO. INS-2003-00062

VICTORIA FIRE & CASUALTY COMPANY,
VICTORIA SELECT INSURANCE COMPANY,
and
VICTORIA AUTOMOBILE INSURANCE
COMPANY,

Defendants

SETTLEMENT ORDER

Based on a market conduct examination performed by the Bureau of Insurance, it appears that Defendants, duly licensed by the Commission to transact the business of insurance in the Commonwealth of Virginia, violated the Code of Virginia and the Virginia Administrative Code as follows: Victoria Fire & Casualty Company violated §§ 38.2-510 A 1, 38.2-510 A 10, 38.2-610, 38.2-1906 D, 38.2-2212, and 38.2-2220 of the Code of Virginia, as well as 14 VAC 5-400-40 A, 14 VAC 5-400-70 D, and 14 VAC 5-400-80 D; Victoria Select Insurance Company violated §§ 38.2-510 A 1, 38.2-510 A 10, 38.2-510 C, 38.2-610, 38.2-1833, 38.2-1905 A, 38.2-1906 D, 38.2-2212, and 38.2-2220 of the Code of Virginia, as well as 14 VAC 5-400-40 A, 14 VAC 5-400-70 D, and 14 VAC 5-400-80 D; and Victoria Automobile Insurance Company violated §§ 38.2-610, 38.2-1318, 38.2-1812, 38.2-1833, 38.2-

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DOCUMENT CONTROL

1906 D, 38.2-2212, and 38.2-2220 of the Code of Virginia, as well as 14 VAC 5-400-40 A, 14 VAC 5-400-70 D, and 14 VAC 5-400-80 D.

The Commission is authorized by §§ 38.2-218, 38.2-219, and 38.2-1040 of the Code of Virginia to impose certain monetary penalties, issue cease and desist orders, and suspend or revoke Defendants' licenses upon a finding by the Commission, after notice and opportunity to be heard, that Defendants have committed the aforesaid alleged violations.

Defendants have been advised of their right to a hearing in this matter, whereupon Defendants, without admitting any violation of Virginia law, have made an offer of settlement to the Commission wherein Defendants have tendered to the Commonwealth of Virginia the sum of twenty-nine thousand dollars (\$29,000), waived their right to a hearing, and agreed to the entry by the Commission of a cease and desist order.

The Bureau of Insurance has recommended that the Commission accept the offer of settlement of Defendants pursuant to the authority granted the Commission in § 12.1-15 of the Code of Virginia.

THE COMMISSION, having considered the record herein, the offer of settlement of Defendants, and the recommendation of the Bureau of Insurance, is of the opinion that Defendants' offer should be accepted.

IT IS THEREFORE ORDERED THAT:

(1) The offer of Defendants in settlement of the matter set forth herein be, and it is hereby, accepted;

(2) Victoria Fire & Casualty Company cease and desist from any conduct that constitutes a violation of §§ 38.2-510 A 1, 38.2-510 A 10, 38.2-610, 38.2-1906 D, 38.2-2212, or 38.2-2220 of the Code of Virginia, or 14 VAC 5-400-40 A, 14 VAC 5-400-70 D, or 14 VAC 5-400-80 D; Victoria Select Insurance Company cease and desist from any conduct that constitutes a violation of §§ 38.2-510 A 1, 38.2-510 A 10, 38.2-510 C, 38.2-610, 38.2-1833, 38.2-1905 A, 38.2-1906 D, 38.2-2212, or 38.2-2220 of the Code of Virginia, or 14 VAC 5-400-40 A, 14 VAC 5-400-70 D, or 14 VAC 5-400-80 D; and Victoria Automobile Insurance Company cease and desist from any conduct that constitutes a violation of §§ 38.2-610, 38.2-1318, 38.2-1812, 38.2-1833, 38.2-1906 D, 38.2-2212, or 38.2-2220 of the Code of Virginia, or 14 VAC 5-400-40 A, 14 VAC 5-400-70 D, or 14 VAC 5-400-80 D; and

(3) The papers herein be placed in the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Assunta Rossi, Assistant General Counsel, Victoria Insurance Companies, 5915 Landerbrook Drive, Cleveland, Ohio 44124-4058; and the Bureau of Insurance in care of Deputy Commissioner Mary M. Bannister.