

**BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS**

IN THE MATTER OF:)	
)	
)	
AMERICAN MODERN HOME)	AID NO. 2022- 68
INSURANCE COMPANY)	
(NAIC # 23469))	

CONSENT ORDER

On this day, the matter of American Modern Home Insurance Company (“Company”) came before Alan McClain, Arkansas Insurance Commissioner (“Commissioner”). The Arkansas Insurance Department (“Department”) is represented by Crystal Phelps, Associate Counsel, in this matter. From the facts and law before him, the Commissioner finds as follows:

GENERAL STIPULATIONS

1. It is expressly understood that this Consent Order is subject to the Commissioner’s acceptance and has no force or effect until such acceptance is evidenced by the entry of the Commissioner.
2. By the signature affixed below, Company affirmatively states that the entry of this Consent Order has been freely entered, and that no threats or promises of any kind have been made by the Commissioner, the Department, or any agent or representative thereof.
3. The parties state their agreement to be bound by the terms of this Consent Order and aver that no promises or offers relating to the circumstances described herein have been made, other than the terms of settlement set forth herein.

FINDINGS OF FACT

1. The Company is licensed by the Department to sell Homeowner insurance products within Arkansas.
2. The Company is an authorized insurer that reported fifty thousand dollars (\$50,000) or more in annual gross premium for Homeowner products in Arkansas for data year 2021.
3. The deadline for filing the Homeowner Market Conduct Annual Statement (“MCAS”) for the 2021 Data Year was May 2, 2022.
4. The Company requested its deadline be extended to May 16, 2022.
5. The Company did not request an additional extension.
6. The Company filed its Homeowner MCAS on May 25, 2022.

CONCLUSIONS OF LAW

1. The Commissioner has jurisdiction over the Company and the subject matter pursuant to Ark. Code Ann. § 23-63-216.
2. Per Ark. Code Ann. § 23-63-216(b)(1)(A),

“[A]n authorized insurer reporting fifty thousand dollars (\$50,000) or more in annual gross premiums shall file for each line of business written in this state a market conduct annual statement, or successor product, in the general form and context, in the time frame required by, and according to instructions provided by the National Association of Insurance Commissioners.”
3. Pursuant to Ark. Code Ann. § 23-63-216(c)(1),

“Insurers shall submit the market conduct annual statement data required by subsection (b) of this section in an electronic format and manner as prescribed by the commissioner. The commissioner may designate the National Association of Insurance Commissioners to receive the market conduct annual statement on his or her behalf, for the purpose of collecting, compiling, aggregating, and reporting on market conduct annual statement data.”

4. The Department alleges that the Company violated Ark. Code Ann. § 23-63-216 by failing to timely file its Homeowner MCAS.

5. Pursuant to Ark. Code Ann. § 23-60-108, unless a greater penalty is provided by another law, a violation of a statute or rule enforceable by the Insurance Commissioner is punishable by a fine no greater than one thousand dollars (\$1,000) per violation.

6. Based upon the Department's findings, the Company is assessed \$1,000 for failure to timely file its Homeowner MCAS.

IT IS HEREBY ORDERED AND JOINTLY AGREED that:

1. In consideration of the Commissioner's Findings of Fact and Conclusions of Law, the Company paid a monetary penalty in the amount of \$1,000.

2. The Company consents to entry of this Order and waives any and all hearing or other procedural rights or further administrative or judicial challenges to this Order.

3. The Company's execution of this document neither admits nor denies violation of any Arkansas law cited herein.

4. No other penalties will be imposed or enforcement actions taken based upon any violation of Ark. Code Ann. § 23-63-216 related to the Company's failure to file its Homeowner MCAS.

IT IS SO ORDERED THIS 29th day of July 2022.



**ALAN MCCLAIN
INSURANCE COMMISSIONER
STATE OF ARKANSAS**

Steven J. Mackie 8/3/2022

Steven J. Mackie, Chief Compliance & Ethics Officer

AMERICAN MODERN HOME

INSURANCE COMPANY

SIGNATORY