

necessary to pay OIGA's expenses. If OIGA assesses its member insurers, then ORS 734.579(1) requires a member insurer to recoup its assessment from its insureds, unless otherwise permitted by Oregon Administrative Rules (OAR) 836-031-0855. *However, if a member insurer recoups its assessment from its insureds, it may not recoup more than its assessment.* 21st Century was a member insurer of OIGA and was assessed by OIGA. 21st Century had recouped all of its assessment by 2008. However, 21st Century continued to recoup \$282 in 2009 and \$471 in 2010 for a total of \$753.

Action

Pursuant to ORS 731.988(1), 21st Century is assessed a civil penalty of \$20,000. The payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. The payment shall be delivered or mailed to the Insurance Division at the Labor and Industries Building, 350 Winter Street NE Room 300, Salem, Oregon 97301-3880; or mailed to the Insurance Division at PO Box 14480, Salem, OR 97309-0405. The payment shall be *received* by the Insurance Division by the date of the final order.

Dated December 28, 2011

/s/ Esta L. Cain

[Signature of Representative]

Esta L. Cain

[Printed Name of Representative]

Senior Vice President and General Counsel

[Printed Title of Representative]

21st Century Pacific Insurance Company

FINAL ORDER

The director incorporates herein the above stipulation, adopts it as the director's final decision in this proceeding, and orders that the action stated therein be taken.

Dated 1/24/12

/s/ Patrick M. Allen

Patrick M. Allen

Director

Department of Consumer and Business Services