STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

In the Matter of:	Case No. INS-18-0083
VIRGINIA SURETY COMPANY, INC., Respondent.	FINAL ORDER TO CEASE AND DESIST, ORDER ASSESSING CIVIL PENALTY, AND CONSENT TO ENTRY OF ORDER

The Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), acting in accordance with the Oregon Revised Statutes ("ORS") chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 744, 746, 748 and 750 ("Insurance Code"), has decided to take enforcement action against Virginia Surety Company, Inc. ("Virginia Surety").

Virginia Surety wishes to resolve and settle this matter with the Director.

Now, therefore, as evidenced by the signature(s) subscribed in this Order, Virginia Surety hereby CONSENTS to entry of this Order.

Division of Financial Regulation
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387

FINDINGS OF FACT

The Director FINDS that:

1. Virginia Surety has been licensed in Oregon as a Foreign Insurer since June 30, 1982. The company's NAIC number is 40827.

2. Virginia Surety last recorded principal business mailing address is 11th Floor, 175 W Jackson Blvd, Chicago, IL 60604.

3. Virginia Surety is authorized to transact workers' compensation insurance in Oregon.

4. Workers' compensation insurers are required to file a Special Oregon Schedule P by March 1 of each year.

5. On January 14, January 29, and February 13, 2018, e-mail notices were sent to Virginia Surety to remind the company that its Special Oregon Schedule P for 2017 was due on March 1, 2018. All notices stated that filing the form late will incur a civil penalty of $500 a day.

6. Virginia Surety filed its Special Oregon Schedule P for 2017 on March 7, 2018, six (6) days after the due date.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

7. Under ORS 731.252(1), whenever the Director has reason to believe that any person has been engaged or is engaging or is about to engage in any violation of the Insurance Code, the Director may issue an order to discontinue or desist from such violation or threatened violation.

8. ORS 731.574(1) authorizes the Director to require workers' compensation insurers to file a Special Oregon Schedule P by March 1 of each year.

9. By filing its Special Oregon Schedule P six (6) days past the due date, Virginia Surety violated ORS 731.574(1).

10. ORS 731.988(1) authorizes the Director to impose upon Virginia Surety a civil penalty of up to $10,000 per violation of ORS 731.574(1).

ORDERS

Now therefore, the Director issues the following Orders:

11. Pursuant to ORS 731.252(1), the Director ORDERS Virginia Surety to CEASE AND DESIST from violating any provision of the Insurance Code or the

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administrative rules promulgated thereunder.

12. Pursuant to ORS 731.988(1), the Director ORDERS Virginia Surety to pay a CIVIL PENALTY of $3,000 for violating ORS 731.574(1).

13. The CIVIL PENALTY assessed herein is due and payable at the time this Order is submitted to the Director.

SO ORDERED this 14th day of November, 2018 in Salem, Oregon.

CAMERON C. SMITH, Director
Department of Consumer and Business Services

/s/ Dorothy Bean
Dorothy Bean, Chief of Enforcement
Division of Financial Regulation

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ENTITY CONSENT TO ENTRY OF ORDER

I, Rod Rathbun, am an authorized representative of Virginia Surety Company, Inc. ("Virginia Surety"), and I am authorized to act on its behalf. I have read the foregoing Order and I know and fully understand the contents hereof. The factual allegations stated herein are true and correct. I have been advised of the right to a hearing and of the right to be represented by counsel in this matter. Virginia Surety voluntarily consents to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this order. Virginia Surety understands that the Director reserves the right to take further action against it to enforce this order or to take appropriate action upon discovery that Virginia Surety has committed other violations of the Oregon Insurance Code. Virginia Surety, along with its officers, directors, employees, or agents, will fully comply with the terms and conditions stated herein.

Virginia Surety understands that this Order is a public document.

Signature: /s/ Rod Rathbun

Position Held: Authorized Representative

State of Nebraska

County of Douglas

Signed or attested before me on this 5th day of November, 2018

By Rod Rathbun.

Megan Whipple

Notary Public

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