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

In the Matter of:	Case No. INS-20-0066
CERITY INSURANCE COMPANY, 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 Cerity Insurance Company ("Cerity").

Cerity wishes to resolve and settle this matter with the Director.

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

FINDINGS OF FACT

The Director FINDS that:

1. Cerity has been licensed in Oregon as a Foreign Insurer since September 4, 1990. The company's NAIC number is 39191721.

2. Cerity's last recorded principal business mailing address is PO Box 30660, Lansing, MI 48917.

3. Cerity 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.

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5. On January 14, January 29, and February 13, 2020, e-mail notices were sent to Cerity to remind the company that its Special Oregon Schedule P for 2019 was due on March 1, 2020. All notices stated that filing the form late will incur a civil penalty of $500 a day.

6. Cerity filed its Special Oregon Schedule P for 2019 on March 5, 2020—three (3) 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 three (3) days past the due date, Cerity violated ORS 731.574(1).

10. ORS 731.988(1) authorizes the Director to impose upon Cerity 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 Cerity to CEASE AND DESIST from violating ORS 731.574(1).

12. Pursuant to ORS 731.988(1), the Director ORDERS Cerity to pay a CIVIL PENALTY of $1,500 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.

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14. This Order is binding upon Respondent's successors and assigns.

15. This Order is a "Final Order" under ORS 183.310(6)(b). Subject to that provision, the entry of this Order does not limit other remedies that are available to the Director under Oregon law.

SO ORDERED this 30th day of November, 2020 in Salem, Oregon.

ANDREW R. STOLFI, 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, George (CHIP) Carbonar, am an officer or manager of Cerity Insurance Company ("Cerity"). I am authorized to act and sign on behalf of Cerity. I have read the foregoing Order, and I know and fully understand the contents hereof, without admitting or denying the Findings of Fact and Conclusions of Law. I have been advised of the right to a hearing and of the right to be represented by counsel in this matter. Cerity voluntarily consents to the entry of this Order with no force or duress, expressly waiving any right to a hearing in this matter and any rights to administrative or judicial review of this Order. Cerity understands that the Director reserves the right to take further action to enforce this Order or to take action upon discovery that Cerity has committed other violations of the Oregon Insurance Code. Cerity, along with its officers, directors, employees, or agents, shall comply with the terms and conditions stated herein.

Cerity understands that this Order is a public document.

Signature: */s/ GC Carbonar*

Position Held: *VP and Controller*

ACKNOWLEDGMENT

State of _____

County of _____

Signed or attested before me on the _____ of _____, 2020.

_____

Notary Public

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