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

In the Matter of: FALLS LAKE NATIONAL INSURANCE COMPANY, Respondent.	Case No. INS-20-0069 FINAL ORDER TO CEASE AND DESIST, FINAL 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, 743B, 744, 746, 748 and 750 ("Insurance Code"), has decided to take enforcement action against Falls Lake National Insurance Company ("Falls Lake").

Falls Lake wishes to resolve and settle this matter with the Director.

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

FINDINGS OF FACT

The Director FINDS that:

1. Falls Lake has been licensed in Oregon as a foreign insurer since December 18, 1979. The company's NAIC number is 31925.

2. Falls Lake's last recorded principal business mailing address is 6641 West Broad Street, Suite 300, Richmond, VA 23230.

3. Falls Lake is authorized to transact workers' compensation insurance in Oregon.

4. Workers' compensation insurers are required to file a Special Oregon

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Schedule P by March 1 of each year.

5. On January 14, January 29, and February 13, 2020, e-mail notices were sent to Falls Lake 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. Falls Lake filed its Special Oregon Schedule P for 2019 on March 9, 2020, seven (7) 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 seven (7) days past the due date, Falls Lake violated ORS 731.574(1).

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

12. Pursuant to ORS 731.988(1), the Director ORDERS Falls Lake to pay a CIVIL PENALTY of $3,500 for violating ORS 731.574(1).

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

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is submitted to the Director.

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 3rd day of December, 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, Daniel Shultis, am an officer or manager of Falls Lake National Insurance Company ("Falls Lake"). I am authorized to act and sign on behalf of Falls Lake. 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. Falls Lake 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. Falls Lake understands that the Director reserves the right to take further action to enforce this Order or to take action upon discovery that Falls Lake has committed other violations of the Oregon Insurance Code. Falls Lake, along with its officers, directors, employees, or agents, shall comply with the terms and conditions stated herein.

Falls Lake understands that this Order is a public document.

Signature: Daniel A. Shultis

Position Held: Controller

ACKNOWLEDGMENT

State of NC

County of WAKE

Signed or attested before me on the 18 of NOVEMBER, 2020.

/s/ Hannah Givens
Notary Public

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