

**STATE OF MINNESOTA
DEPARTMENT OF COMMERCE**

In the Matter of the Certificate of Authority of
Universal Property & Casualty Insurance Company
NAIC No. 10861

CONSENT ORDER

TO: Universal Property & Casualty Insurance Company
1110 W. Commercial Blvd.
Fort Lauderdale, FL 33309

Commissioner of Commerce Grace Arnold (Commissioner) has determined as follows:

1. The Commissioner has advised Universal Property & Casualty Insurance Company (Respondent) that she is prepared to commence formal action, pursuant to Minn. Stat. § 45.027 (2022) and other applicable law, based on allegations that Respondent failed to promptly issue claim payments, in violation of Minn. Stat. §§ 72A.20, subd. 12(2) and 72A.201, subd. 5(5) (2022).
2. Respondent acknowledges that they have been advised of the right to a hearing in this matter, to present argument to the Commissioner, and to appeal from any adverse determination after a hearing. Respondent hereby expressly waives those rights. Respondent further acknowledges that they have been represented by legal counsel throughout these proceedings or has waived that right.
3. Respondent has agreed to informal disposition of this matter without a hearing as provided under Minn. Stat. § 14.59 (2022) and Minn. R. 1400.5900 (2021).
4. For purposes of Minn. Stat. § 16D.17 (2022), Respondent expressly waives the right to any notice or opportunity for a hearing on any civil penalty imposed by the Commissioner. Further, Minn. Stat. § 16D.17 (2022) allows the Commissioner to file and enforce the civil penalty imposed by this Order as a judgment against Respondent in district court without further notice or additional proceedings.
5. The civil penalty and/or any resulting judgment arising from this Order will be non-dischargeable in any bankruptcy proceeding. See 11 U.S.C. 523 (a)(7) ("A discharge under section 727,

1141, 1228(a), 1228(b) or 1328(b) of this title does not discharge an individual debtor from any debt... to the extent such debt is for a fine, penalty, or forfeiture payable to and for the benefit of a governmental unit, and is not compensation for actual pecuniary loss, other than a tax penalty...”).

6. The following Order is in the public interest.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minn. Stat. Ch. 45 (2022), that:

- A. Respondent shall pay a civil penalty in the amount of \$10,000 to the State of Minnesota;
- B. Respondent shall review and update its policies and procedures to ensure the prompt adjustment and payment of claims; and
- C. Respondent shall cease and desist from any future violation of Minn. Stat. Ch. 72A (2022).

This Order shall be effective upon signature by or on behalf of the Commissioner.

Date: 11/09/2022

GRACE ARNOLD
Commissioner



MATTHEW VATTER
Assistant Commissioner of Enforcement
Minnesota Department of Commerce
85 Seventh Place East, Suite 280
St. Paul, MN 55101
(651) 539-1600

CONSENT TO ENTRY OF ORDER

The undersigned, acting on behalf of Universal Property & Casualty Insurance Company (Respondent), states the undersigned has read this Consent Order; that the undersigned knows and fully understands its contents and effect; that the undersigned is authorized to execute this Consent Order on behalf of Respondent; that Respondent has been advised of the right to a hearing in this matter, to present argument to the Commissioner, and to appeal from any adverse determination after a hearing and expressly waives those rights. The undersigned further acknowledges that Respondent has been represented by legal counsel throughout these proceedings or has been advised of its right to be represented by legal counsel, which right it hereby expressly waives; and that it consents to entry of this Order by the Commissioner. It is further understood that this Consent Order constitutes the entire settlement agreement between the parties, there being no other promises or agreements, either express or implied.

Universal Property &
Casualty Insurance Company

Date: 10/27/22

By: *Stasha J. Dwyer*
(Name)

Its: CEO
(Title)

STATE OF Florida

COUNTY OF Broward

Signed or attested before me on 10/27/22 (Date).

(Notary stamp)



Dania L. Arnodo
(Signature of Notary)
My Commission expires:
10/1/2026