

BEFORE THE DIVISION OF INSURANCE
DEPARTMENT OF LABOR AND REGULATION
STATE OF SOUTH DAKOTA

IN THE MATTER OF) CONSENT ORDER
WILLIS OF MINNESOTA, INC.)

In resolution of the above matter and in lieu of issuance of a Notice of Hearing and a formal hearing, the undersigned parties do hereby agree to the following:

WILLIS OF MINNESOTA, INC. ("WILLIS"), whose address of record is 8400 Normandale Lake Boulevard, Suite 1700, Bloomington, Minnesota 55437, holds a nonresident business entity insurance license in the State of South Dakota;

WILLIS is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation;

The Division alleges the following with regard to WILLIS:

- 1) WILLIS procured and cause to be issued a surplus lines policy for a client in each the following tax years: 2013, 2014, 2015, 2016, and 2017 ("Surplus Lines Policies");
- 2) WILLIS failed to timely file documentation of the Surplus Lines Policies at the designated surplus lines clearinghouse in violation of SDCL §§ 58-32-42 and 58-32-42.1;
- 3) WILLIS failed to timely remit surplus lines premium tax regarding the Surplus Lines Policies to the designated surplus lines clearinghouse in violation of SDCL § 58-32-44;
- 2) Pursuant to SDCL §§ 58-30-167(2) and 58-32-11, 58-32-42, and 58-32-42.1; the Director of the Division may revoke or suspend WILLIS's nonresident business entity license for any one of the above-cited reasons.

WILLIS is aware of and understands the nature of the allegations and has been informed that it has the right to a Notice of Hearing, counsel and appeal and that by agreeing to sign this Consent Order, waives these rights;

In return for WILLIS agreeing to and complying with the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing and agrees that this Consent Order will constitute an informal disposition of this licensing matter pursuant to SDCL 1-26-20;

By the execution of this Consent Order and the payment of a penalty pursuant to this Consent Order, WILLIS waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

WILLIS agrees to pay \$2,500 pursuant to SDCL § 58-4-28.1, in lieu of proceeding to a formal hearing, and further agrees to conduct itself in accordance with the insurance laws and regulations of the State of South Dakota;

In addition to the above stated monetary penalty, WILLIS agrees to pay past due tax obligations and statutory penalties related to, and stemming from, its failure to timely report on and remit premium tax regarding the Surplus Lines Policies;

WILLIS agrees that this Consent Order may be considered for the purpose of determining the appropriate sanction in any future actions with the Division for any violations of the laws or regulations of the State of South Dakota or for failing to abide by any order of the Director;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that WILLIS pay a monetary penalty in the amount \$2,500 payable to the South Dakota Division of Insurance for deposit in the general fund of the State of South Dakota and that WILLIS abide by the agreements made by it in this Consent Order; and it is further

ORDERED that WILLIS abide by the agreements made by it in this Consent Order; and it is further

ORDERED that the use of this Consent Order for competitive purposes by an insurance agent or third-party administrator holding a license in the State of South Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition and be grounds for suspension or revocation of said license or authority; and it is further ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.

Dated at Pierre, South Dakota this 1st day of November, 2018.



Larry Deiter, Director
South Dakota Division of Insurance

The undersigned, on behalf of WILLIS, represents it understands the terms of this Consent Order and the waiver of its due process rights and voluntarily enters into this Consent Order.

Dated this 22 day of October, 2018.



Signature of Authorized Representative

Susan Hu
Printed Name

Vice President
Title