

Market Conduct Draft Examination Report

Budget Service, Inc.

Florida Company Code: 89274

August 8, 2023



Table of Contents

Executive Summary	2
Company Operations.....	2
Purpose and Scope of the Examination	3
Complaint Statistics	3
Examination Procedures	4
Findings.....	4
Conclusion	4
Examination Report Final Submission	5

Executive Summary

A market conduct examination of Budget Service, Inc. (“Budget Service” or “Company”) was performed to ascertain the Company’s compliance with the applicable provisions of the Florida Insurance Code as required by Section 627.834(2), Florida Statutes (“F.S.”).

Company Operations

Budget Service is a domestic Premium Finance Company licensed to offer premium finance agreements in Florida on July 12, 1984. Budget Service generally finances 12-month commercial insurance policies, including general liability, commercial auto, and commercial property policies.

Total Premiums Receivable in Florida during the examination scope period was as follows:

Year	Total Premiums Receivable in Florida (Per Schedule A of the Annual Report)
2022	\$524,351.00
2021	\$403,404.00
2020	\$302,579.00
2019	\$341,450.00

Section 627.828(1), F.S. requires premium finance companies to maintain a net worth of \$35,000 or a net worth of \$10,000 if a surety bond or other acceptable collateral is approved by the Florida Office of Insurance Regulation (“OIR”). The Company met the requirements of Section 627.828(1), F.S. by reporting the following statutory net worth:

Year	Statutory Net Worth as of December 31 st (Per the Balance Sheet of the Annual Report)
2022	\$47,677.00
2021	\$45,047.00
2020	\$63,533.00
2019	\$49,180.00

Section 627.836(2), F.S. requires premium finance companies to file an annual report with OIR and remit the annual report filing fee to the Florida Department of Financial Services (“DFS”) by March 1st of each year. The Company met the requirements of Section 627.836(2), F.S. by timely filing both the annual report and the annual report filing fees prior to March 1st for each year during the examination scope period as follows:

Year	Date Annual Report Filed with OIR	Date Annual Report Filing Fees Remitted to DFS
2022	02/27/2023	02/27/2023
2021	02/15/2022	02/15/2022
2020	02/12/2021	02/12/2021
2019	02/26/2020	02/26/2020

Purpose and Scope of the Examination

OIR has primary responsibility for the regulation, compliance and enforcement of statutes related to the business of insurance premium financing and the monitoring of industry markets. OIR is required to examine each premium finance company not less frequently than every three years, pursuant to Section 627.834(2), F.S. Due to this responsibility, OIR conducted a market conduct examination of Budget Service. The examination scope period was from January 1, 2019, to December 31, 2022. The examination was performed by members of OIR's Property and Casualty Market Regulation business unit.

The purpose of a market conduct examination is to review the premium finance company's operating practices to determine if they comply with the applicable provisions of the Florida Insurance Code, rules related to the business of insurance premium financing, the provisions contained within a premium finance contract issued by the Company, or orders issued by OIR. A common element of all market conduct examinations is to evaluate a premium finance company's business practices to promote the protection of insurance-buying consumers and to hold entities regulated by OIR accountable when issues or violations are found.

The examination began April 1, 2023 and ended August 1, 2023. The last examination of Budget Service was completed as of December 31, 2018. That examination concluded that the Company's records appear in good order and the Company is following the applicable provisions of Chapter 627, Part XV, F.S. and Rule 69O-196, F.A.C.

Complaint Statistics

As of December 31, 2022, DFS Division of Consumer Services reported receiving zero complaints related to premium finance agreements issued by Budget Service to consumers during the examination scope period.

Complaints Reported to DFS by Consumers	
Year	Number of Complaints
2022	0
2021	0
2020	0
2019	0

Examination Procedures

The conduct of this examination and the procedures, statistical sampling and examination processes used were consistent with and in accordance with those standards and procedures contained in the *Market Regulation Handbook* promulgated by the National Association of Insurance Commissioners (“NAIC”).

In preparation for the examination, the Company was requested to provide the total number, or universe, of premium finance agreements entered into during the examination’s scope period. The Company reported entering into a total of 507 premium finance agreements during the examination scope period.

The NAIC’s *Market Regulation Handbook* provides guidance regarding sampling methods utilized during market conduct examinations. A minimum confidence level of 95% is used to make inferences when a universe population is greater than 200 and permits those results to be extrapolated to the population of all premium finance agreements. The examiners reviewed a total of 113 randomly selected premium finance agreements. The number of randomly selected premium finance agreements is consistent with the recommended sample size for non-claims in the NAIC’s *Market Regulation Handbook*’s Acceptance Samples Table. Examination results with a 95% confidence level permit those results to be extrapolated to the population of non-claims. Based on the total universe of Budget Service’s premium finance agreements subject to this examination, the total sample size required to achieve a 95% confidence level was determined to be 113.

In reviewing materials for this report, the examiners relied on records and information provided by the Company.

Findings

The examination focused on the Company’s use of approved forms and rates and evaluated specific statutory components required by the Company in the execution of premium finance agreements, including but not limited to finance charges, service fees, late and non-sufficient fund fees, and products financed. To determine the Company’s adherence to these statutory requirements, the examiners reviewed and analyzed each sampled premium finance agreement to determine if the agreement was executed in compliance with the Florida Insurance Code.

No exceptions were noted.

Conclusion

This market conduct examination of Budget Services Inc. was designed to review and evaluate whether the Company’s handling of premium finance agreements was in compliance with the provisions of the Florida Insurance Code.

This examination report and the observations contained therein are the result of a factual, data-driven analysis of the Company’s premium finance agreements and practices related to the cancellation and refund of premiums to consumers.

Examination Report Final Submission

OIR hereby issues this final report based upon information from the draft report, additional research conducted by the OIR, and additional information provided by the Company.



www.FLOIR.com

J. Edwin Larson Building
200 E. Gaines Street
Tallahassee, Florida 32399
Phone: (850) 413-3140