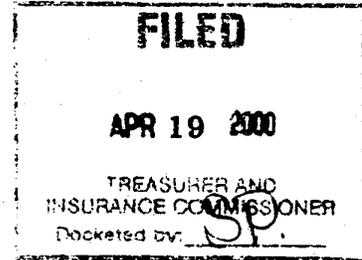




THE TREASURER OF THE STATE OF FLORIDA  
DEPARTMENT OF INSURANCE

BILL NELSON



IN THE MATTER OF:

CASE NO.: 33241-99-CO

**SUNAMERICA LIFE INSURANCE COMPANY**

Life and Health Market Conduct  
Examination Report

CONSENT ORDER

THIS CAUSE came on for consideration as the result of an agreement between **SUNAMERICA LIFE INSURANCE COMPANY**, hereinafter referred to as "**SUNAMERICA**" and the **FLORIDA DEPARTMENT OF INSURANCE**, hereinafter referred to as the "**DEPARTMENT**".

Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the Treasurer and Insurance Commissioner, as head of the **FLORIDA DEPARTMENT OF INSURANCE**, hereby finds as follows:

1. The Treasurer and Insurance Commissioner, as head of the **DEPARTMENT**, has jurisdiction over the subject matter of, and parties to, this proceeding.

2. **SUNAMERICA** is a foreign insurer authorized to transact insurance business in Florida and is subject to the jurisdiction and regulation of the **DEPARTMENT** pursuant to the Florida Insurance Code.

3. The **DEPARTMENT** conducted a market conduct examination of **SUNAMERICA** covering the period January 1, 1994 through

December 31, 1996, pursuant to Section 624.3161, Florida Statutes. As a result of such examination, the DEPARTMENT determined that SUNAMERICA committed the following violations of the Florida Insurance Code:

a. Life and Health

1. Section 626.511(2), Florida Statutes - Failure to send agent termination notices to the DEPARTMENT within thirty (30) days of termination.

b. Life and Annuities

1. Section 627.4085, Florida Statutes - Failure to include agent's identification number on applications.

c. Life

1. Rule 4-151.007(3)(c), Florida Administrative Code - Failure to send replacement notices to existing insurer within five (5) business days.

d. Claims

1. Section 817.234(1), Florida Statutes - Failure to include "third degree felony" language on all claim forms.

4. The DEPARTMENT and SUNAMERICA expressly waive a hearing in this matter, and the making of Findings of Fact and Conclusions of Law by the DEPARTMENT and all further and other proceedings herein to which the parties may be entitled by law or rules of the DEPARTMENT. SUNAMERICA hereby knowingly and voluntarily waives all rights to challenge or to contest this Order, in any forum now available to it, including the right to any administrative proceeding, circuit or federal court action, or any appeal.

5. **SUNAMERICA** agrees that the failure to adhere to one or more of the terms and conditions of this Order shall constitute a violation of a lawful order of the **DEPARTMENT**, and shall subject **SUNAMERICA** to such administrative action as the Treasurer and Insurance Commissioner may deem appropriate.

6. **SUNAMERICA** agrees that upon the execution of this Consent Order it shall be subject to the following terms and conditions:

(a) **SUNAMERICA** shall pay an administrative penalty of \$3,750 and costs of \$750 on or before the 30th day after this Consent Order is executed.

(b) **SUNAMERICA** shall henceforth comply with all of the provisions of the Insurance Code and will implement the recommendations contained in the report within 30 days of entry of this Consent Order.

(c) **SUNAMERICA** is hereby placed on notice of the requirements of the above referenced sections of law and agrees that any future violations of these sections by **SUNAMERICA** may be deemed willful, depending on circumstances, subjecting **SUNAMERICA** to appropriate penalties.

7. Except as noted above, each party to this action shall bear its own costs and attorney's fees.

8. **THEREFORE**, the agreement between **SUNAMERICA** and the **DEPARTMENT**, the terms and conditions of which are set forth above, is approved.

FURTHER, all terms and conditions above are hereby  
ORDERED.

DONE AND ORDERED this 19TH day of APRIL,

2000.



BILL NELSON  
Treasurer and  
Insurance Commissioner

By execution hereof **SUNAMERICA LIFE INSURANCE COMPANY** consents to entry of this Order, agrees without reservation to all of the above terms and conditions, and shall be bound by all provisions herein. I am authorized to execute this document.

**SUNAMERICA LIFE INSURANCE COMPANY**

By: \_\_\_\_\_  
Title: Scott H. Richland  
Vice President  
Date: April 5, 2000

**COPIES FURNISHED TO:**

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