



FILED

OCT 31 2023

INSURANCE REGULATION

Docketed by: DJS

OFFICE OF INSURANCE REGULATION

MICHAEL YAWORSKY
COMMISSIONER

IN THE MATTER OF:

CASE NO.: 312082-23

TESLA INSURANCE COMPANY
_____ /

CONSENT ORDER

THIS CAUSE came on for consideration as the result of TESLA INSURANCE COMPANY's ("TESLA") failure to timely file its Gross Annual Premium and Enrollment ("GAP") Data Reporting form with the FLORIDA OFFICE OF INSURANCE REGULATION ("OIR") as required by Section 627.9175(1), Florida Statutes, and Rule 69O-137.004, Florida Administrative Code. Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the OIR hereby finds as follows:

1. The OIR has jurisdiction over the subject matter and the parties herein. TESLA is an insurer authorized to transact business in Florida and subject to regulation by the OIR, pursuant to the Florida Insurance Code.

2. In January 2023, the OIR issued a data call notice for life and health GAP data reporting to each insurer or insurer group required to submit this data.

3. Insurers were required to submit data for the GAP data reporting form by April 1, 2023.

4. Rule 69O-137.004, Florida Administrative Code, requires each insurer that issues health insurance policies in Florida to file Form OIR-B2-1094, "Report of Gross Annual

Premiums and Enrollment Data for Health Benefit Plans Issued to Florida Residents”, with the OIR covering the preceding calendar year on or before April 1.

5. TESLA failed to timely file its 2022 GAP Data Reporting Form with the OIR, which was due on April 1, 2023.

6. On May 9, 2023, TESLA filed its 2022 GAP Data Reporting Form with the OIR.

7. Section 624.4211(1), Florida Statutes, provides that if the OIR finds that one or more grounds exist for the discretionary revocation or suspension of a certificate of authority issued under Chapter 624, Florida Statutes, the OIR may, in lieu of such revocation or suspension, impose a fine upon the insurer.

8. The OIR finds that TESLA has violated Section 627.9175(1), Florida Statutes, and Rule 69O-137.004, Florida Administrative Code. The OIR deems the violation as non-willful warranting a fine in the amount of \$1,000 for the violation pursuant to Section 624.4211(2), Florida Statutes.

9. TESLA agrees that within 10 days of the execution of this Consent Order, TESLA shall pay an administrative fine in the amount of \$1,000 U.S. Dollars (“USD”) and administrative costs of \$1,000 USD to the OIR.

10. Any deadlines, reporting requirements, other provisions, or requirements set forth in this Consent Order may be altered or terminated by written approval of the OIR. Such approval must be requested in writing prior to any proposed deviation from the terms of this Consent Order.

11. TESLA agrees that, upon execution of this Consent Order, failure to adhere to one or more of the terms and conditions contained herein may result, without further proceedings, in the OIR suspending, revoking, or taking other administrative action as it deems appropriate upon

TESLA's license in this state in accordance with Sections 120.569(2)(n) and 120.60(6), Florida Statutes.

12. TESLA additionally agrees that, upon execution of this Consent Order, failure to adhere to one or more of the terms and conditions contained herein may be considered willful and subject TESLA to appropriate penalties and fines.

13. TESLA additionally agrees that any future violations of the statutes or rules named herein may be deemed willful, subjecting TESLA to penalties as the OIR deems appropriate.

14. TESLA expressly waives a hearing in this matter, the making of findings of fact and conclusions of law by the OIR, and all further and other proceedings herein to which it may be entitled by law or rules of the OIR. TESLA hereby knowingly and voluntarily waives all rights to challenge or to contest this Consent Order in any forum available to it, now or in the future, including the right to any administrative proceeding, state or federal court action, or any appeal.

15. Except as noted above, each party to this action shall bear its own costs.

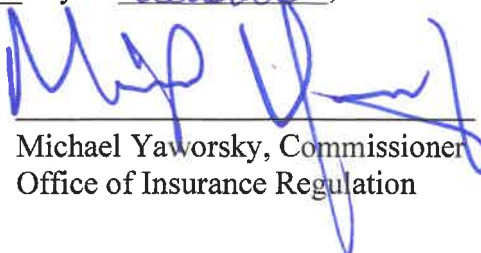
16. The parties agree that this Consent Order shall be deemed to be executed when the OIR has signed and docketed a copy of this Consent Order bearing the notarized signature of the authorized representative of TESLA.

WHEREFORE, the agreement between TESLA INSURANCE COMPANY and the FLORIDA OFFICE OF INSURANCE REGULATION, the terms and conditions of which are set forth above, is APPROVED.

All terms and conditions contained herein are hereby ORDERED.

DONE AND ORDERED this 31st day of October, 2023.




Michael Yaworsky, Commissioner
Office of Insurance Regulation

By execution hereof, TESLA INSURANCE COMPANY, consents to entry of this Consent Order, agrees without reservation to all the above terms and conditions, and shall be bound by all provisions herein. The undersigned represents that they have the authority to bind TESLA INSURANCE COMPANY, to the terms and conditions of this Consent Order.

TESLA INSURANCE COMPANY

By: 

[Corporate Seal]

Print Name: Charles Lee

Title: Secretary

Date: _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence

or online notarization, this ____ day of _____ 2023, by _____
(name of person)

as _____ for _____
(type of authority; e.g., officer, trustee, attorney in fact) (company name)

(Signature of the Notary)

(Print, Type or Stamp Commissioned Name of Notary)

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

My Commission Expires _____

PLS SEE
THE ATTACHED (c.2)

Consent Order (C.O.)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

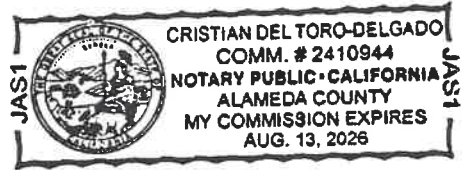
State of California
County of Alameda)

On 31 day of August 2023 before me, Cristian DelToro-Delgado, Notary Public,
(insert name and title of the officer)

personally appeared Charles Lee
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~
subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in
his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the
person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature *Charles Lee* (Seal)

COPIES FURNISHED TO:

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