



FILED

MAY 10 2022

INSURANCE REGULATION
Docketed by: AGS

OFFICE OF INSURANCE REGULATION

DAVID ALTMAIER
COMMISSIONER

IN THE MATTER OF:
MONTAGE, INC.

CASE NO.: 292448-22

_____ /

ORDER TO CEASE AND DESIST

TO: MONTAGE, INC.
c/o Alan Salmon, President
4035 Park East Court SE, Ste 300
Grand Rapids, MI 49546

YOU ARE HEREBY NOTIFIED that pursuant to the Florida Insurance Code, including but not limited to Sections 624.307, 624.317, and 634.403, Florida Statutes, the STATE OF FLORIDA OFFICE OF INSURANCE REGULATION (hereinafter referred to as “the OFFICE”) has caused an investigation to be made of the activities of MONTAGE, INC. (hereinafter referred to as “MONTAGE”) with respect to its service warranty activities. Pursuant to Section 634.439, Florida Statutes, the OFFICE intends to enter a Final Order requiring MONTAGE to cease and desist from engaging in the unauthorized and unlicensed business of a service warranty association in the state of Florida. As grounds therefore, the OFFICE alleges that:

1. The OFFICE has jurisdiction over the subject matter hereof and parties to this proceeding.

2. MONTAGE is a registered corporation in the state of Florida. Its principal place of business is located at 4035 Park East Court, Ste 300, Grand Rapids, MI, 49546.

3. Alan Salmon is the President, sole Officer and Director of MONTAGE.

4. MONTAGE is not licensed as a service warranty association in the state of Florida.

5. MONTAGE is not an authorized insurer in the state of Florida.

6. From January 2017 to January 29, 2022, MONTAGE has provided or has offered to provide service warranties to the residents of Florida without a license.

7. As of February 2, 2022, MONTAGE reported having 15,944 in-force service warranties in Florida, with a corresponding gross premium of \$4,118,213.

8. Section 634.403(1), Florida Statutes, states no person in this state shall provide or offer to provide service warranties to residents of this state unless authorized therefor under a subsisting license issued by the office.

9. MONTAGE's activities do not fall within the exceptions, exclusions or exemptions provided in Chapter 634, Part III, Florida Statutes, or any other provision of the Florida Statutes or federal law.

WHEREFORE, because MONTAGE has violated the Florida Insurance Code by operating as an unlicensed service warranty association in the state of Florida, in violation of Section 634.403, Florida Statutes, the OFFICE intends to issue a Final Order requiring the following:

A. MONTAGE is ordered, pursuant to Section 634.439, Florida Statutes, to cease and desist from engaging in the unlawful transaction of service warranty business.

B. To minimize disruption to Florida consumers, MONTAGE is ordered to run-off the 15,944 existing in-force service warranties in Florida.

C. MONTAGE shall provide the OFFICE with quarterly reports of all service warranties remaining in-force until all service warranties have lapsed or cancelled or until the expiration of the limited warranty period listed in the contract. The first report will be due thirty days following the issuance of the Final Order. Thereafter, MONTAGE will provide quarterly reports.

D. MONTAGE is responsible for administering and servicing existing in-force service warranties in compliance with Chapter 634, Florida Statutes.

DONE and ORDERED this 10 day of May, 2022.



David Altmaier

DAVID ALTMAIER
Commissioner
Office of Insurance Regulation

NOTICE OF RIGHTS

Pursuant to Sections 120.569 and 120.57, Florida Statutes and Rule Chapter 28-106, Florida Administrative Code (F.A.C.), you may have a right to request a proceeding to contest this action by the Office of Insurance Regulation (hereinafter the "Office"). You may request a proceeding by filing a Petition. Your Petition for a proceeding must be in writing and must be filed with the General Counsel acting as the Agency Clerk, Office of Insurance Regulation. If served by U.S. Mail the Petition should be addressed to the Florida Office of Insurance Regulation at 612 Larson Building, Tallahassee, Florida 32399-4206. If Express Mail or hand-delivery is utilized, the Petition should be delivered to 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0300. The written Petition must be received by and filed in the Office no later than 5:00 p.m. on the twenty-first (21) day after your receipt of this notice. Unless your Petition challenging this action is received by the Office within twenty-one (21) days from the date of the receipt of this notice, the right to a proceeding shall be deemed waived. Mailing the response on the twenty-first day will not preserve your right to a hearing.

If a proceeding is requested and there is no dispute of material fact the provisions of Section 120.57(2), Florida Statutes may apply. In this regard you may submit oral or written evidence in opposition to the action taken by this agency or a written statement challenging the grounds upon which the agency has relied. While a hearing is normally not required in the absence of a dispute of fact, if you feel that a hearing is necessary one may be conducted in Tallahassee, Florida or by telephonic conference call upon your request.

If you dispute material facts which are the basis for this agency's action you may request a formal adversarial proceeding pursuant to Sections 120.569 and 120.57(1), Florida Statutes. If you request this type of proceeding, the request must comply with all of the requirements of Rule Chapter 28-106.2015, F.A.C., including but not limited to:

- a) A statement requesting an administrative hearing identifying those material facts that are in dispute. If there are none, the petition must so state; and
- b) A statement of when the respondent received notice of the agency's action.

These proceedings are held before a State Administrative Law Judge of the Division of Administrative Hearings. Unless the majority of witnesses are located elsewhere, the Office will request that the hearing be conducted in Tallahassee.

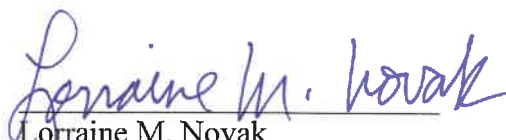
In some instances, you may have additional statutory rights than the ones described herein.

Failure to follow the procedure outlined with regard to your response to this notice may result in the request being denied. Any request for administrative proceeding received prior to the date of this notice shall be deemed abandoned unless timely renewed in compliance with the guidelines as set out above.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order to Cease and Desist has been sent by U.S. Certified Mail this 11th day of May, 2022, to:

MONTAGE, INC.
c/o Alan Salmon, President
4035 Park East Court, SE, Ste. 300
Grand Rapids, MI 49546



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