



**FILED**

FEB 05 2024

INSURANCE REGULATION  
Docketed by: LL

## OFFICE OF INSURANCE REGULATION

**MICHAEL YAWORSKY**  
COMMISSIONER

IN THE MATTER OF:

CASE NO.: 320759-23

FOCUS FINANCE, LLC  
\_\_\_\_\_ /

### CONSENT ORDER

THIS CAUSE came on for consideration as the result of FOCUS FINANCE, LLC's ("FOCUS") violation of one or more provisions of the Florida Insurance Code as outlined in their 2022 Market Conduct Examination conducted by the FLORIDA OFFICE OF INSURANCE REGULATION ("OIR"). Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, OIR hereby finds as follows:

1. The OIR has jurisdiction over the subject matter and the parties herein. FOCUS is a premium finance company authorized to transact business in Florida and subject to regulation by the OIR, pursuant to the Florida Insurance Code.
2. On or about September 18, 2023, OIR conducted a market conduct examination of FOCUS.
3. OIR documented the following violations of the Florida Insurance Code:
4. Section 627.848(1)(e), Florida Statutes, provides that the premium finance company shall, within 15 days after the account has been overpaid, either refund to the insured for the insured's benefit any refund due on his or her account or, if the refund is sent or credited

to the agent, return or credit to the agent the amount of the overpayment and notify the insured of the refunded amount.

5. In 10 instances, OIR documented that FOCUS did not issue refunds to the insureds within 15 days of the accounts entering a credit balance.

6. Section 627.832(1)(b), Florida Statutes, provides that OIR may deny, suspend, revoke, or refuse to renew any license if it finds that the licensee has violated any provision of this part or any rule of the commission.

7. Section 627.833, Florida Statutes, provides that if OIR finds that one or more grounds exist for the discretionary revocation or suspension of a license issued under Chapter 627, Florida Statutes, OIR may, in lieu of such revocation or suspension, impose a fine upon the premium finance company.

8. The OIR finds that FOCUS has violated Section 627.848(1)(e), Florida Statutes.

9. FOCUS agrees that within 10 days of the execution of this Consent Order, FOCUS shall pay an administrative fine in the amount of \$1,000 U.S. Dollars (“USD”) and administrative costs in the amount of \$1,000 USD to OIR. FOCUS shall send its payment to the address reflected on the invoice attached hereto as “Exhibit A.”

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

11. FOCUS 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 OIR suspending, revoking, or taking other administrative action as it deems appropriate upon

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

12. FOCUS additionally agrees that, upon execution of this Consent Order, failure to adhere to one or more of the terms and conditions contained herein may subject FOCUS to such administrative action as OIR deems appropriate as specifically authorized by law.

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

14. FOCUS expressly waives a hearing in this matter, the making of findings of fact and conclusions of law by OIR, and all further and other proceedings herein to which it may be entitled by law or rules of OIR. FOCUS 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.

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 FOCUS.

WHEREFORE, the agreement between FOCUS FINANCE, LLC 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 5<sup>th</sup> day of February, 2024.



  
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Michael Yaworsky, Commissioner  
Office of Insurance Regulation

By execution hereof, FOCUS FINANCE, LLC 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 FOCUS FINANCE, LLC to the terms and conditions of this Consent Order.

FOCUS FINANCE, LLC

By: *Andrew McGuire*

[Corporate Seal]

Print Name: Andrew McGuire

Title: President

Date: January 30, 2024

STATE OF Florida

COUNTY OF Broward

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

or  online notarization, this 31 day of JANUARY 2024 by Andrew McGuire  
(name of person)

as President for Focus Finance, LLC  
(type of authority; e.g., officer, trustee, attorney in fact) (company name)



*Rita Marro*  
(Signature of the Notary)

RITA MARRO  
(Print, Type or Stamp Commissioned Name of Notary)

Personally Known XX OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

My Commission Expires April 5, 2025

COPIES FURNISHED TO:

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