

**BEFORE THE COMMISSIONER OF INSURANCE
OF THE STATE OF KANSAS**

In the Matter of American Bankers)
Insurance Company of Florida) Docket No. 3105-CO

CONSENT ORDER

American Bankers Insurance Company of Florida wishes to resolve this matter without formal adjudicative proceedings by entering into this consent order. The Commissioner of Insurance ("Commissioner") hereby makes the following findings of fact, conclusions of law, and order, to-wit:

Findings of Fact

1. American Bankers Insurance Company of Florida ("American Bankers") is a stock insurance company authorized to transact the business of insurance in the State of Kansas with its office located at 11222 Quail Roost Drive, Miami, Florida, 33157, and is subject to statutes regulating the business of insurance.
2. The Commissioner of Insurance ("the Commissioner") has jurisdiction over the subject matter of this proceeding, and this proceeding is held in the public interest.
3. On July 3, 2002, a consumer complaint was filed with the Kansas Insurance Department ("KID") against American Bankers.
4. On July 10, 2002, KID forwarded the complaint to American Bankers requesting an investigation of the matter and a detailed report with documentation to support the position of the company.

5. On August 14, 2002, KID sent a letter to American Bankers requesting an explanation as to why no response had been received and advising the company of the penalty the company was subject to for failing to comply with the request.

No response was received by the company.

Conclusions of Law

6. K.S.A. 40-2,125(b) provides:

If any person fails to file any report or other information with the commissioner as required by statute or fails to respond to any proper inquiry of the commissioner, the commissioner, after notice and opportunity for hearing, may impose a penalty of up to \$500 for each violation or act, along with an additional penalty of up to \$100 for each week thereafter that such report or other information is not provided to the commissioner.

7. Based on the information contained in paragraphs three (3) through six (6) above, it appears that American Bankers Insurance Company of Florida intentionally failed to respond to a proper inquiry by this department in violation of K.S.A. 40-2,125(b) and is fined \$500 for each violation and \$50 for each week thereafter.

IT IS THEREFORE, BY THE COMMISSIONER OF INSURANCE, ORDERED THAT:

American Bankers Insurance Company of Florida shall remit to the Kansas Insurance Department an administrative penalty in the sum of one thousand three hundred dollars (\$1,300) for violating K.S.A. 40-2,125(b).

IT IS SO ORDERED THIS _19th_ DAY OF NOVEMBER, 2002, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



/s/ Kathleen Sebelius
Kathleen Sebelius
Commissioner of Insurance

/s/ Arthur Heggen
Arthur Heggen
Secretary
American Bankers Insurance Company of Florida

SUBMITTED AND APPROVED BY:

/s/ Deletria L. Nash
Deletria L. Nash
Attorney for Petitioner
Kansas Insurance Department