

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

STATE OF ALASKA

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

DIVISION OF INSURANCE

In the Matter of: )  
)  
M J HALL & CO OF ALASKA INC. )  
)  
Licensee )  
\_\_\_\_\_ )

Case No. D 19-01

STIPULATED AGREEMENT AND ORDER

The Division of Insurance (division) and M J Hall & Co of Alaska Inc., (M J Hall), the licensee in this case, stipulate and agree to the following:

I. BACKGROUND

A. M J Hall holds surplus lines broker and firm insurance producer license number 8349.

B. Under AS 21.06.120, the division performed a limited and targeted premium tax audit of M J Hall's surplus lines business for the period January 1, 2016 through December 31, 2017. The audit was completed and a report and order approving the report were issued on January 25, 2019 under TA 18-06. Both were sent to M J Hall on January 28, 2019.

C. Under one failed finding in the audit report, one violation of AS 21.34.170 was identified that is within the control of M J Hall to correct in order to comply with Alaska insurance laws.

D. The one violation of AS 21.34 subjects M J Hall to civil penalties under AS 21.34.230.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

F. Due to this violation having been found during the subsequent audit after the Stipulated Agreement and Order D 15-17 entered into between the division and M J Hall was signed, the previously suspended civil penalty of \$10,000 in that Stipulated Agreement and Order is now subject to reinstatement.

II. TERMS OF AGREEMENT

1. For the TA 18-06 audit violation, M J Hall agrees to pay a civil penalty under AS 21.34.230 in the amount of \$5,000. The penalty of \$5,000 is payable within three months of the date that M J Hall is notified that the director has signed the order approving this agreement.

2. For the reinstated penalty under Stipulated Agreement and Order D 15-17, M J Hall agrees to pay \$10,000 within three months of the date M J Hall is notified that the director has signed the order approving this agreement.

4. By signing this agreement, M J Hall understands and agrees that any failure to comply with the terms of this agreement may be grounds to revoke, suspend, or non-renew Alaska surplus lines broker and firm insurance producer license number 8349.

5. M J Hall understands that this agreement is not binding on the parties unless and until the director signs the order approving the agreement.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

DATED: 2/20/19

DIVISION OF INSURANCE

By: Rebecca Nesheim  
Rebecca Nesheim  
Tax Auditor

DATED: 2.22.19

M J HALL & CO OF ALASKA INC.

By: [Signature]  
John Wesley Tatum  
Compliance Officer

Approved as to form and content:

DATED: 3/5/19

KEVIN G. CLARKSON  
ATTORNEY GENERAL

By: [Signature]  
Daniel Wilkerson  
Assistant Attorney General

ORDER

IT IS ORDERED that this Stipulated Agreement and Order is adopted in full resolution of the issues in this case, and shall constitute the final order in this matter.

DATED this 5<sup>th</sup> day of March, 2019.

[Signature]  
Lori Wing-Heier  
Director