FILED
AUG 18 2025
INSURANCE REGULATION
Docketed by:

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OFFICE OF INSURANCE REGULATION

MICHAEL YAWORSKY
COMMISSIONER

Index: OIR 2025-138

IN THE MATTER OF:

CASE NO.: 401353-25-CO

AMERICAN PET INSURANCE COMPANY
_____/

CONSENT ORDER

THIS CAUSE came for consideration as the result of an investigation of AMERICAN PET INSURANCE COMPANY ("AMERICAN PET") 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, the OIR hereby finds as follows:

1. The OIR has jurisdiction over the subject matter and the parties herein.

2. AMERICAN PET is a property and casualty insurer authorized to transact business in Florida and subject to regulation by the OIR under the Florida Insurance Code.

3. On or about February 1, 2025, the OIR investigated AMERICAN PET pursuant to sections 624.307 and 624.318, Florida Statutes,[1] regarding AMERICAN PET's use of unapproved rates between March 4, 2020 and June 14, 2021.

4. Based on the investigation, the OIR determined that AMERICAN PET submitted a "File and Use" rate filing pursuant to section 627.062 on July 22, 2019 for its Trupanion Plan under the livestock & animals lines of business.

[1] All statutory citations contained herein refer to Florida Statutes, unless otherwise noted.

5. During the filing review process, the OIR requested rates lower than those rates originally filed by AMERICAN PET. AMERICAN PET modified its "File and Use" rate filing to include the lower rates requested by the OIR.

6. The OIR approved AMERICAN PET's "File and Use" rate filing on September 30, 2019 based on AMERICAN PET's adoption of lower rates, as requested by the OIR.

7. AMERICAN PET failed to implement the rates approved by the OIR.

8. AMERICAN PET implemented unapproved rates.

9. The OIR finds AMERICAN PET knowingly charged unapproved rates because AMERICAN PET had received written approval from the OIR for rates different than those AMERICAN PET charged.

10. AMERICAN PET overcharged for 11,169 policies issued.

11. On March 28, 2025, AMERICAN PET refunded a total of $101,007.64 U.S. Dollars ("USD") in overcharged premiums and paid $44,887.70 USD in interest.

12. Section 626.9541(1)(o)2. provides that it is an unfair method of competition and unfair or deceptive act or practice to knowingly collect "as a premium or charge for insurance any sum in excess of or less than the premium or charge applicable to such insurance, in accordance with the applicable classifications and rates as filed with and approved by the [OIR]."

13. Section 624.4211(1) 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, the [OIR] may, in lieu of such revocation or suspension, impose a fine upon the insurer."

14. The OIR finds that AMERICAN PET violated section 626.9541(1)(o)2. The OIR deems the violation as willful warranting a fine in the amount of $50,000 USD for the violation pursuant to sections 626.9581(2) and 624.4211(3).

15. AMERICAN PET agrees that within ten days of the execution of this Consent Order, AMERICAN PET shall pay an administrative fine in the amount of $50,000 USD and administrative costs of $2,000 USD to the OIR. AMERICAN PET shall not provide payment before the Commissioner executes this Consent Order. AMERICAN PET shall send its payment to the address reflected on the invoice attached hereto as "Exhibit A".

16. 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.

17. AMERICAN PET 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 AMERICAN PET's certificate of authority in this state in accordance with sections 120.569(2)(n) and 120.60(6).

18. AMERICAN PET 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 AMERICAN PET to such administrative action as the OIR finds appropriate as specifically authorized by law.

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

20. AMERICAN PET 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. AMERICAN PET 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.

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

22. The parties agree that this Consent Order shall be deemed to be executed when the OIR has signed a copy of this Consent Order bearing the notarized signature of the authorized representative of AMERICAN PET.

WHEREFORE, the agreement between AMERICAN PET 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 18 day of August, 2025.

Michael Yaworsky, Commissioner
Office of Insurance Regulation

By execution hereof, AMERICAN PET 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 AMERICAN PET INSURANCE COMPANY to the terms and conditions of this Consent Order.

AMERICAN PET INSURANCE COMPANY

By: _____

[Corporate Seal]

Print Name: M. TOOTH

Title: PRESIDENT / CEO

Date: 07/29/2025

STATE OF Washington

COUNTY OF King

The foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization, this 29th day of July 2025, by Margi Tooth (name of person) as President / CEO (type of authority; e.g., officer, trustee, attorney in fact) for American Pet Insurance Company (company name)

NINI REEVES
Notary Public
State of Washington
Commission # 20103360
My Comm. Expires Jan 16, 2028

_____
(Signature of the Notary)

Nini Reeves
(Print, Type or Stamp Commissioned Name of Notary)

Personally Known X OR Produced Identification _____

Type of Identification Produced _____

My Commission Expires January 16 2028

COPIES FURNISHED TO:

MARGARET ROSEMARY MARIA TOOTH
PRESIDENT
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EXHIBIT
A

FLORIDA OFFICE OF
Insurance
Regulation

MICHAEL YAWORSKY
INSURANCE COMMISSIONER

INVOICE

AMERICAN PET INSURANCE COMPANY
6100 4TH AVE S. SUITE 200
SEATTLE, WA 98108

INVOICE DATE: June 25, 2025

ATTN: MARGARET ROSEMARY MARIA TOOTH

INVOICE #: OIR 25-035854

P&C Market Regulation/ Requested by Courtney Colston-Hayes/ Matter Number 401353-25

Description	Units	Rate	Price
1249J: ADMINISTRATIVE COSTS	1.00	$2,000.00	$2,000.00
1105J: FINE	1.00	$50,000.00	$50,000.00

TOTAL: **$52,000.00**

PAYMENT DUE UPON RECEIPT: **$52,000.00**

Pay by Wire (ACH) Instructions:

1. Do not alter the amount due
2. Remember to include the OIR invoice number in the body of the wire payment
3. Include company name

Bank: WELLS FARGO, N.A.
1 INDEPENDENT DRIVE, JACKSONVILLE, FL 32202

Account Title: STATE OF FLORIDA DEPARTMENT OF FINANCIAL SERVICES DFS – **OFFICE OF INSURANCE REGULATION** – LOCATION 4300430

Account Number: 4834783854

ACH and Incoming Wire and ABA/Routing Number: 121000248

Pay by Check Instructions:

1. Do not alter the amount due
2. Make check payable to the Florida Office of Insurance Regulation
3. Include a copy of this invoice to ensure your payment is applied correctly

Mail check and a copy of this invoice to:
Florida Department of Financial Services
Revenue Processing Section
P.O. Box 6100
Tallahassee, FL 32314-6100

Please contact Lisa Stinson at (850) 413-2458 or Lisa.Stinson@floir.com if you have any questions regarding your invoice.