

(IV) OTHER ILLEGAL CONDUCT IN, BY, OR WITH RESPECT TO THE INSURER;

(14) IS CONTROLLED DIRECTLY OR INDIRECTLY BY A PERSON THAT THE COMMISSIONER FINDS TO BE UNTRUSTWORTHY; OR

(15) HAS FAILED TO FILE A FINANCIAL REPORT REQUIRED BY LAW WITHIN THE TIME ALLOWED BY LAW AND, AFTER WRITTEN DEMAND BY THE COMMISSIONER, HAS FAILED TO GIVE AN IMMEDIATE ADEQUATE EXPLANATION.

(B) LIQUIDATION OF DOMESTIC OR ALIEN INSURERS.

(1) IF THE APPOINTMENT OF THE COMMISSIONER AS RECEIVER IS NOT THEN IN EFFECT, AND EVEN IF NO PREVIOUS ORDER HAS DIRECTED THE COMMISSIONER TO REHABILITATE A DOMESTIC INSURER OR THE UNITED STATES BRANCH OF AN ALIEN INSURER THAT HAS TRUSTEED ASSETS IN THE STATE, THE COMMISSIONER MAY APPLY TO THE COURT FOR AN ORDER THAT APPOINTS THE COMMISSIONER AS RECEIVER AND THAT DIRECTS THE COMMISSIONER TO LIQUIDATE THE BUSINESS OF THE DOMESTIC INSURER OR THE UNITED STATES BRANCH OF THE ALIEN INSURER IF THE DOMESTIC INSURER OR ALIEN INSURER:

(I) HAS NOT DONE BUSINESS FOR AT LEAST 1 YEAR;

(II) IS AN IMPAIRED INSURER AND HAS COMMENCED VOLUNTARY LIQUIDATION OR DISSOLUTION, OR ATTEMPTS TO COMMENCE OR PROSECUTE AN ACTION OR PROCEEDING TO LIQUIDATE ITS BUSINESS OR AFFAIRS, TO DISSOLVE ITS CORPORATE CHARTER, OR TO PROCURE THE APPOINTMENT OF A RECEIVER, TRUSTEE, CUSTODIAN, OR SEQUESTRATOR UNDER ANY LAW EXCEPT THIS ARTICLE;

(III) IS DOING BUSINESS IN A FRAUDULENT MANNER; OR

(IV) IS IN A CONDITION IN WHICH FURTHER REHABILITATION EFFORTS ON ANY GROUNDS SPECIFIED IN SUBSECTION (A) OF THIS SECTION APPEAR TO BE FUTILE.

(2) IF AT ANY TIME DURING A REHABILITATION PROCEEDING THE COMMISSIONER DETERMINES THAT FURTHER EFFORTS TO REHABILITATE THE DOMESTIC INSURER OR ALIEN INSURER WOULD BE USELESS, THE COMMISSIONER MAY APPLY TO THE COURT FOR AN ORDER OF LIQUIDATION.

(C) CONSERVATION OF FOREIGN INSURERS.

THE COMMISSIONER MAY APPLY TO THE COURT FOR AN ORDER THAT APPOINTS THE COMMISSIONER AS RECEIVER OR ANCILLARY RECEIVER, AND THAT DIRECTS THE COMMISSIONER TO CONSERVE THE ASSETS OF A FOREIGN INSURER THAT ARE LOCATED IN THE STATE:

(1) ON ANY GROUND SPECIFIED IN SUBSECTION (A) OR (B) OF THIS SECTION; OR

(2) ON THE GROUND THAT THE ASSETS OF THE FOREIGN INSURER HAVE BEEN SEQUESTERED IN THE JURISDICTION IN WHICH THE FOREIGN INSURER IS DOMICILED OR IN ANOTHER JURISDICTION.