

No. **2020-6564**

**Official Order  
of the  
Texas Commissioner of Insurance**

**Date: 11/18/2020**

**Subject Considered:**

Southwest Risk LP  
8144 Walnut Hill Ln Ste 1400  
Dallas, TX 75231

Consent Order  
TDI Enforcement File No. 25978

**General remarks and official action taken:**

This is a consent order with Southwest Risk LP. Southwest Risk LP failed to timely file surplus lines policies and related documents. Southwest Risk LP has agreed to pay a \$4,350 administrative penalty for these violations.

**Waiver**

Southwest Risk LP acknowledges that the Texas Insurance Code and other applicable law provide certain rights. Southwest Risk LP waives all of these rights, and any other applicable procedural rights, in consideration of the entry of this consent order.

**Findings of Fact**

1. Southwest Risk LP, organization identification number 8054033, holds a surplus lines license issued by the Texas Department of Insurance.

## 2020-6564

Commissioner's Order

Southwest Risk LP

Page 2 of 4

2. Pursuant to TEX. INS. CODE § 981.105(a), a surplus lines insurance agent must file with the Surplus Lines Stamping Office of Texas either:
  - a. a copy of the policy issued or
  - b. if the policy has not yet been issued, a copy of the certificate, cover note, or other confirmation of insurance delivered to the insured.

This information is due not later than the 60<sup>th</sup> day after the later of the effective date or the issue date of new or renewal surplus lines insurance.

3. In 2019, Southwest Risk LP filed surplus lines policies late.
4. The commissioner previously disciplined Southwest Risk LP for violating TEX. INS. CODE § 981.105(a) in Official Order No. 12-0102, entered on February 6, 2012; Official Order No. 2018-5827, entered on December 28, 2018; and Official Order No. 2020-6221, entered on January 30, 2020.

### Conclusions of Law

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, and 981.105.
2. The commissioner of insurance has authority to informally dispose of this matter under TEX. INS. CODE § 82.055, TEX. GOV'T CODE § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.
3. Southwest Risk LP has knowingly and voluntarily waived all procedural rights to which it may have been entitled regarding the entry of this order, including, but not limited to, issuance and service of notice of intention to institute disciplinary action, notice of hearing, a public hearing, a proposal for decision, rehearing by the commissioner, and judicial review.
4. Southwest Risk LP violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

### Order

It is ordered that Southwest Risk LP must pay an administrative penalty of \$4,350. The administrative penalty must be paid within 30 days from the date of this order. The administrative penalty must be paid by cashier's check or money order made payable to

# 2020-6564

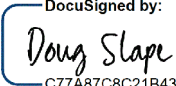
Commissioner's Order

Southwest Risk LP

Page 3 of 4

the "State of Texas." Mail the administrative penalty to the Texas Department of Insurance, Attn: Enforcement Division, Division 60851, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.

Commissioner of Insurance

DocuSigned by:  
  
C77A87C8C21B435...  
By: \_\_\_\_\_  
Doug Slape  
Chief Deputy Commissioner  
TEX. GOV'T CODE § 601.002  
Commissioner's Order No. 2018-5528

Recommended and reviewed by:



\_\_\_\_\_  
Leah Gillum, Deputy Commissioner  
Enforcement Division



\_\_\_\_\_  
Mandy Meesey, Associate Commissioner  
Enforcement Division

**Affidavit**

THE STATE OF Texas

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COUNTY OF Dallas

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Before me, the undersigned authority, personally appeared the affiant, who being by me duly sworn, deposed as follows:

"My name is Matt Austin. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

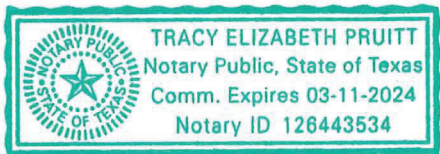
I hold the office of CFO and am the authorized representative of Southwest Risk LP. I am duly authorized by the organization to execute this statement.

Southwest Risk LP has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas."

Matt Austin  
Affiant

SWORN TO AND SUBSCRIBED before me on November 3, 2020.

(NOTARY SEAL)



Tracy Elizabeth Pruitt  
Signature of Notary Public

Tracy Elizabeth Pruitt  
Printed Name of Notary Public