

No. **2022-7139**

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

Date: 01/03/2022

Subject Considered:

Cochrane Agency, Inc.
P.O. Box 19150
Spokane, WA 99219-9150

Consent Order
TDI Enforcement File No. 28825

General remarks and official action taken:

This is a consent order with Cochrane Agency, Inc. (Cochrane). Cochrane failed to timely file surplus lines policies and related documents. Cochrane has agreed to pay an administrative penalty of \$2,650 for these violations.

Waiver

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

Findings of Fact

1. Cochrane, organization identification number 64290, holds a surplus lines license issued by the Texas Department of Insurance.
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.

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

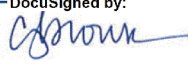
3. In 2020, Cochrane filed surplus lines policies late.
4. The commissioner previously disciplined Cochrane for violating TEX. INS. CODE § 981.105(a) in Official Order No. 2017-5234, entered on October 2, 2017.

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. Cochrane 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. Cochrane 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 Cochrane Agency, Inc. must pay an administrative penalty of \$2,650. The administrative penalty must be paid within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which the department will send after entry of this order.

DocuSigned by:

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Cassie Brown
Commissioner of Insurance

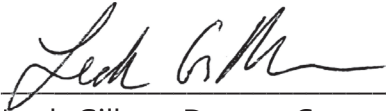
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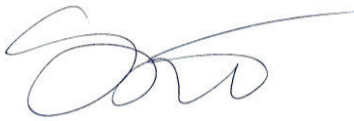
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Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Enforcement Division



Stephanie Daniels, Attorney
Enforcement Division

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Affidavit

THE STATE OF WASHINGTON §

§

COUNTY OF SPOKANE §

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

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

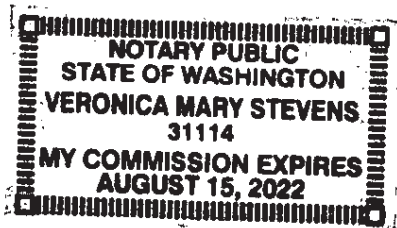
I hold the office of EXECUTIVE V.P. and am the authorized representative of Cochrane Agency, Inc. I am duly authorized by the organization to execute this statement.

Cochrane Agency, Inc. 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."


Affiant

SWORN TO AND SUBSCRIBED before me on 12-22, 2021.

(NOTARY SEAL)




Signature of Notary Public

Veronica Mary Stevens
Printed Name of Notary Public