

No. **2022-7309**

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

**Date:** 04/27/2022

**Subject Considered:**

Ryan D. Pugh  
[REDACTED]  
Barberton, Ohio 44203

Default Order  
SOAH Docket No. 454-22-2153  
TDI Enforcement File No. 26599

**General remarks and official action taken:**

The subject of this default order is whether an adjuster license, designated home state Texas, should be issued to Ryan D. Pugh (Respondent). Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance. This order denies Respondent's license application.

The following findings of fact and conclusions of law are adopted:

**Findings of Fact**

Failure to Respond to Notice of Hearing

1. On March 22, 2022, the department filed a Notice of Hearing, attached as Exhibit A, and an Original Petition, attached as Exhibit B, with the State Office of Administrative Hearings.
2. The department's factual allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order as findings of fact.
3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, [REDACTED]

## 2022-7309

Commissioner's Order

Ryan D. Pugh

Page 2 of 5

Barberton, Ohio 44203. The Notice of Hearing and Original Petition were also sent by electronic mail.

4. Respondent failed to file a written response to the Notice of Hearing within 20 days of the date the Notice of Hearing and Original Petition were mailed.

### Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.102, 4001.105, 4005.101-4005.105, and 4101.051; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has authority to dispose of this case informally under TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89.
3. The department provided proper notice of the hearing under TEX. GOV'T CODE §§ 2001.051, 2001.052, and 2001.054, and 28 TEX. ADMIN. CODE §§ 1.28, 1.88, 1.89, and 19.906.
4. Based on Respondent's failure to file a written response to the Notice of Hearing, the department is entitled to disposition by default under 28 TEX. ADMIN. CODE §§ 1.88 and 1.89.
5. The department's factual and legal allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order and deemed admitted as true under 28 TEX. ADMIN. CODE § 1.89.

# 2022-7309

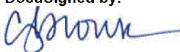
Commissioner's Order

Ryan D. Pugh

Page 3 of 5

## Order

It is ordered that Ryan D. Pugh's application is denied. A copy of this order will be provided to law enforcement or other appropriate administrative agencies for further investigation as may be warranted.

DocuSigned by:  
  
FC5D7EDDFB4F8...

---

Cassie Brown  
Commissioner of Insurance

Prepared and reviewed by:

*L. Merida*

---

Latoya Merida, Staff Attorney  
Enforcement Division

**Affidavit**

**STATE OF TEXAS** §

§

**COUNTY OF TRAVIS** §


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

"My name is David Moreno, and I am employed by the Texas Department of Insurance. I am of sound mind, capable of making this affidavit, and have personal knowledge of these facts which are true and correct.

I have reviewed TDI's records concerning Ryan D. Pugh. I have confirmed that:

- a. The last mailing address provided to the department in writing by Ryan D. Pugh is [REDACTED] Barberton, Ohio 44203.
- b. The file maintained by the Enforcement Division contains a Notice of Hearing and Original Petition dated March 22, 2022, which were filed with the State Office of Administrative Hearings.
- c. On March 22, 2022, the Notice of Hearing and Original Petition addressed to Ryan D. Pugh were mailed certified, return receipt requested, to his last known address.

Copies of the certified mail log maintained by the Enforcement Division is attached as Exhibit C."

DocuSigned by:  
  
 44B0FE16716F4DB...  
 Affiant

# 2022-7309

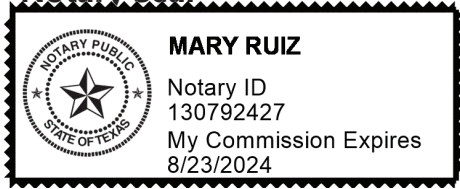
Commissioner's Order

Ryan D. Pugh

Page 5 of 5

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 4/14/2022. This notarial act was an online notarization.

## Notary Seal



## Digital Certificate

DocuSigned by:  
*Mary Ruiz*  
795DC4D59167489...

Notary Public State of Texas

**2022-7309**

FILED  
454-22-2153  
3/22/2022 9:17 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Jessie Harbin, CLERK

**SOAH DOCKET NO. 454-22-2153  
TDI ENFORCEMENT FILE NO. 26599**

ACCEPTED  
454-22-2153  
3/22/2022 10:02 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Jessie Harbin, CLERK

**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

**v.**

**OF**

**RYAN D. PUGH,**

**ADMINISTRATIVE HEARINGS**

**Respondent**

**NOTICE OF HEARING**

The Texas Department of Insurance seeks to deny your license application. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **Wednesday, June 22, 2022, at 9:00 a.m.** The hearing will take place via videoconference using a videoconference platform controlled by the State Office of Administrative Hearings, unless otherwise ordered to proceed in another manner by the Administrative Law Judge.

The hearing shall be conducted under TEX. GOV'T CODE, ch. 2001 and 1 TEX. ADMIN. CODE, ch. 155. Unless otherwise directed by the Administrative Law Judge, the hearing shall continue from day to day in the offices of the State Office of Administrative Hearings until concluded. You have the right to appear at this hearing and to be represented by an attorney.

**Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH.**

**YOU MUST FILE A WRITTEN RESPONSE TO THE NOTICE OF HEARING WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS WITHIN 20 DAYS OF THE DATE THE NOTICE OF HEARING WAS MAILED. FAILURE TO FILE A WRITTEN RESPONSE BY THIS DEADLINE SHALL ENTITLE TDI TO SEEK DISPOSITION BY DEFAULT UNDER 1 TEX. ADMIN. CODE § 155.501 AND 28 TEX. ADMIN. CODE §§ 1.88 AND 1.89.**

**EXHIBIT**

**A**

## 2022-7309

Notice of Hearing

Ryan D. Pugh

SOAH Docket No. 454-22-2153

Page 2 of 5

**IF YOU FAIL TO FILE A WRITTEN RESPONSE, THE SCHEDULED HEARING CAN BE CANCELED AND WITHOUT FURTHER NOTICE TO YOU THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING DENIAL OF YOUR LICENSE APPLICATION, IS GRANTED BY DEFAULT.**

**IF YOU FILE A WRITTEN RESPONSE BUT THEN FAIL TO APPEAR ON THE DAY AND TIME SET FOR HEARING, WITHOUT FURTHER NOTICE TO YOU, THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING DENIAL OF YOUR LICENSE APPLICATION, IS GRANTED BY DEFAULT.**

In accord with 28 TEX. ADMIN. CODE § 1.90(e) and 1 TEX. ADMIN. CODE §§ 155.101 and 155.103, you should send copies of your written response to:

- (1) *(by mail, fax, or electronically)*  
Docketing Division  
State Office of Administrative Hearings  
300 West 15th Street, Room 504  
P.O. Box 13025  
Austin, Texas 78711-3025  
(512) 322-2061 (Fax);  
[www.soah.texas.gov/e-filing-soah](http://www.soah.texas.gov/e-filing-soah)
- (2) *(by mail, fax, or email)*  
Chief Clerk  
Texas Department of Insurance  
P.O. Box 12030, MC GC-CCO  
Austin, Texas 78711-2030  
(512) 490-1064 (Fax)  
[chiefclerk@tdi.texas.gov](mailto:chiefclerk@tdi.texas.gov); and
- (3) *(by mail, fax, or email)*  
Latoya Merida, Staff Attorney  
Texas Department of Insurance  
Enforcement Division, MC ENF

## 2022-7309

Notice of Hearing

Ryan D. Pugh

SOAH Docket No. 454-22-2153

Page 3 of 5

P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 490-1020 (Fax)  
Latoya.merida@tdi.texas.gov

### **Receiving Documents Electronically and Filing Documents with SOAH**

The State Office of Administrative Hearings (SOAH) offers you the ability to electronically receive orders and other documents issued by SOAH by email instead of by mail. If you want to receive SOAH-issued documents by email, follow the instructions on SOAH's website: [www.soah.texas.gov](http://www.soah.texas.gov).

A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents with SOAH. You may file documents with SOAH by mail, fax, or electronically. To file electronically, you must use eFileTexas. Instructions on using eFileTexas are on SOAH's website. SOAH's website also includes guidance for representing yourself.

### **Important Security Notice** (for In-Person Hearings ONLY)

**ALL VISITORS TO THE WILLIAM P. CLEMENTS BUILDING WITHOUT AN AGENCY OR DPS ISSUED ID CARD MUST PROVIDE THE BUILDING SECURITY OFFICER WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS DOCKET NUMBER AND RECEIVE A VISITOR'S PASS IN ORDER TO BE ALLOWED ACCESS TO THE HEARING ROOM. INDIVIDUALS SHOULD ALLOW ADDITIONAL TIME TO GO THROUGH THE SECURITY PROCESS.**



## 2022-7309

Notice of Hearing

Ryan D. Pugh

SOAH Docket No. 454-22-2153

Page 4 of 5

If you have any questions, please contact me at the address or telephone number shown below.

Respectfully Submitted,

*L. Merida*

---

Latoya Merida  
State Bar No. 24089625  
Texas Department of Insurance  
Enforcement Division, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 676-6344 (Direct)  
(512) 490-1020 (Fax)  
Latoya.merida@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

cc: Leah Gillum, Deputy Commissioner, Enforcement Division, MC ENF  
Whitney Fraser, Litigation Director, Enforcement Division, MC ENF  
Administrative Review, MC CO-AAL

# 2022-7309

Notice of Hearing

Ryan D. Pugh

SOAH Docket No. 454-22-2153

Page 5 of 5

## CERTIFICATE OF SERVICE

I, Latoya Merida, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by certified mail, return receipt requested and email, on this 22nd day of March, 2022 to:

Ryan D. Pugh

[REDACTED]

Barberton, OH 44203

*Respondent Pro Se*

*Via CM/RRR No.:*

9214 8901 9403 8370 1407 66

*Via Email:* [REDACTED]

*L. Merida*

---

Latoya Merida

**2022-7309**

454-22-2153

FILED  
454-22-2153  
3/21/2022 12:51 PM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Jessie Harbin, CLERK

**SOAH DOCKET NO. 454-\_\_\_\_\_**  
**TDI ENFORCEMENT FILE NO. 26599**

ACCEPTED  
454-22-2153  
3/21/2022 4:41 PM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Jessie Harbin, CLERK

**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

**v.**

**OF**

**RYAN D. PUGH,**

**ADMINISTRATIVE HEARINGS**

**Respondent**

**ORIGINAL PETITION**

The Texas Department of Insurance seeks to deny Ryan D. Pugh’s license application. In support of this petition, the department makes the following allegations upon information and belief:

**Jurisdiction**

The Commissioner of Insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, and 4102.051, 28 TEX. ADMIN. CODE § 1.502; and TEX. OCC. CODE §§ 53.021–53.023 and TEX. GOV’T CODE §§ 2001.051-2001.178.

**Factual Allegations**

License Application

1. On July 19, 2020, Ryan D. Pugh (Pugh) applied for an adjuster license, designated home state Texas, to be issued by the Texas Department of Insurance (TDI).
2. On October 30, 2020, TDI proposed to deny Pugh’s application based on his criminal history. Pugh appealed that decision and made a written request for a hearing that was received on December 2, 2020.

Criminal History

3. On May 31, 2006, Pugh pled guilty to the felony offense of Aggravated Possession of Drugs in Cause No. 2006-05-1874 in the Common Pleas Court in Summit

**EXHIBIT**

**B**

## 2022-7309

Original Petition

Ryan D. Pugh

Page 2 of 4

County, Ohio for an offense occurring on May 15, 2006. Pugh received two years Community Control.

4. On February 15, 2007, Pugh pled guilty to the felony offense of Aggravated Possession of Drugs in Cause No. 2006-10-3852(B) in the Common Pleas Court in Summit County, Ohio for an offense occurring on October 23, 2006. Pugh received two years Community Control.
5. On June 25, 2008, Pugh pled guilty to one count of the felony offense of Receiving Stolen Property and one count of the misdemeanor offense of Petty Theft in Cause No. 2008-04-1180 in the Common Pleas Court in Summit County, Ohio for offenses occurring on April 7, 2008. Pugh received 18 months Community Control.
6. On December 11, 2009, Pugh pled guilty to one count of the felony offense of Deception to Obtain a Dangerous Drug and one count of the felony offense of Forgery in Cause No. 2009-08-2608(B) in the Common Pleas Court in Summit County, Ohio for an offense occurring on August 13, 2009. Pugh received one year confinement for each count, to be served concurrently.
7. On December 28, 2009, Pugh pled guilty to the felony offense of Deception to Obtain a Dangerous Drug in Cause No. 2009-11-3373 in the Common Pleas Court in Summit County, Ohio for an offense occurring on November 4, 2009. Pugh received 15 months confinement.

### Legal Allegations

1. Pugh has committed an act for which a license may be denied pursuant to TEX. INS. CODE § 4005.101(b) because he has been convicted of a felony, as contemplated by TEX. INS. CODE § 4005.101(b)(8) and TEX. OCC. CODE § 53.021(d).
2. Pugh has committed a felony that directly relates to the business of insurance, as contemplated by TEX. OCC. CODE § 53.021-53.023.
3. Pugh has committed a felony offense, as contemplated by 28 TEX. ADMIN. CODE § 1.502 (e).
4. Department guidelines, 28 TEX. ADMIN. CODE § 1.502(c)-(e), emphasize that TDI:

- a. considers it very important that applicants be honest, trustworthy, and reliable;
  - b. may refuse to issue an original license if the department determines that the applicant has committed a felony or has engaged in fraudulent or dishonest activity that directly relates to the duties and responsibilities of the licensed occupation; and
  - c. considers a theft offense to be of such a serious nature that it is of prime importance when determining fitness for licensure. 28 TEX. ADMIN. CODE § 1.502(e)(4)(F).
5. Pugh has been convicted of a felony involving dishonesty or breach of trust, as specified in 18 U.S.C. § 1033 and requiring written consent from the commissioner of insurance to engage or participate in the business of insurance.

### **Relief Sought**

If one or more of the above allegations is found to be true, the department asks the Administrative Law Judge to enter a Proposal for Decision recommending that the Commissioner of Insurance issue an order:

1. denying Ryan D. Pugh's license application; and
2. imposing any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

Respectfully Submitted,

*L. Merida*

---

Latoya Merida  
State Bar No. 24089625  
Texas Department of Insurance  
Enforcement Division, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 676-6344 (Direct)

**2022-7309**

Original Petition

Ryan D. Pugh

Page 4 of 4

(512) 490-1020 (Fax)

Latoya.merida@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE



Shipment Confirmation  
Acceptance Notice

A. Mailer Action

**Note to Mailer:** The labels and volume associated to this form online, must match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 03/22/2022

Shipped From:

Name: MC 110-1A M RUIZ

Address: 333 GUADALUPE ST

City: AUSTIN

State: TX ZIP+4® 78701

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	0
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

\*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

Note to RSS Clerk:

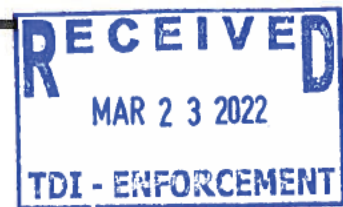
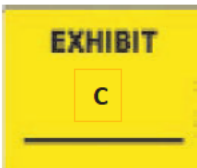
1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail. Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0035 5396 35

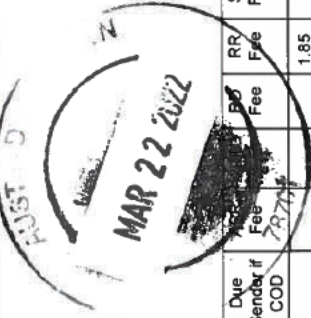


MERIDA/26599



Firm Mailing Book For Accountable Mail

2022-7309



Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.

- Check type of mail or service
- Adult Signature Required
  - Adult Signature Restricted Delivery
  - Certified Mail
  - Certified Mail Restricted Delivery
  - Collect on Delivery (COD)
  - Insured Mail
  - Priority Mail
  - Priority Mail Express
  - Registered Mail
  - Return Receipt for Merchandise
  - Signature Confirmation
  - Signature Confirmation Restricted Delivery

Name and Address of Sender  
 MC 110-1A M RUIZ  
 TEXAS DEPARTMENT OF INSURANCE  
 333 GUADALUPE ST  
 AUSTIN TX 78701

USPS Tracking/Article Number  
 9214 8901 9403 8370 1407 66

Addressee (Name, Street, City, State, & ZIP Code™)  
 RYAN D. PUGH  
 [REDACTED]  
 BARBERTON, OH 44203

MERIDA/26599

Postage Fee	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1.56	3.75	Handling Charge - if Registered and over \$50,000 in value					1.85		Signature Confirmation Restricted Delivery	Special Handling
									Signature Confirmation	
									Return Receipt	
									Restricted Delivery	
									Adult Signature Restricted Delivery	
									Adult Signature Required	



Postmaster, Per (Name of receiving employee)

Total Number of Pieces Listed by Sender: 1  
 Total Number of Pieces Received at Post Office: 1

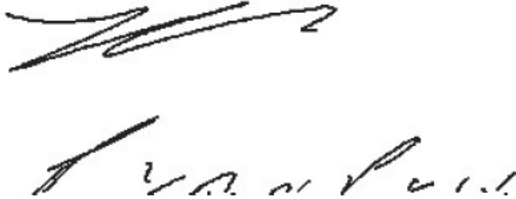


Date Produced: 04/04/2022

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8370 1407 66. Our records indicate that this item was delivered on 03/29/2022 at 01:30 p.m. in BARBERTON, OH 44203. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

[REDACTED]  
BARBERTON, OH 44203-2317

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

RYAN D. PUGH  
[REDACTED]  
BARBERTON, OH 44203

Customer Reference Number: C3306990.19308328  
Return Reference Number MERIDA/26599