

No. 2024-8618

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

Date: 4/25/2024

Subject Considered:

Salvador Villarreal Jr.
El Paso, TX 79932-1839

Default Order
SOAH Docket No. 454-24-04310
TDI Enforcement File No. 31525

General remarks and official action taken:

This is a default order taken against Salvador Villarreal Jr. (Respondent) because he violated Commissioner Order No. 2021-6976. Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance (TDI) or appear at the hearing on the merits. This order revokes Respondent's license.

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

Findings of Fact

Failure to Respond to Notice of Hearing

1. On November 29, 2023, TDI filed a Notice of Hearing, attached as Exhibit A, together with a previously filed Original Petition, attached as Exhibit B, with the State Office of Administrative Hearings.
2. TDI's factual allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order as findings of fact.
3. TDI sent the Notice of Hearing and Original Petition together to Respondent's last known address provided in writing to the department, [REDACTED], El Paso, TX 79932-1839.

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Commissioner's Order

Salvador Villarreal Jr.

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4. Prior to the Respondent's address being updated in the system, the Notice of Hearing and Original Petition were also sent to his address of record on November 2, 2023, attached as Exhibit C.
5. 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.

Failure to Appear at Hearing on the Merits

6. After receiving proper notice of the date, time, and location of the hearing on the merits, Respondent failed to appear for the hearing on March 19, 2024, as shown in the record in SOAH Docket No. 454-24-04310.C.

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, 4051.051, and 4054.051; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. TDI 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.
3. Based on Respondent's failure to file a written response to the Notice of Hearing and failure to appear in person or by legal representative at the hearing, TDI is entitled to disposition by default under 28 TEX. ADMIN. CODE §§ 1.88 and 1.89.
4. TDI'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.

2024-8618

Commissioner's Order

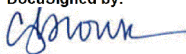
Salvador Villarreal Jr.

SOAH Docket No. 454-24-04310

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Order

It is ordered that any licenses held by Salvador Villarreal Jr. are revoked. A copy of this order will be provided to law enforcement and other appropriate administrative agencies for further investigation as may be warranted.

DocuSigned by:

FC5D7EDDFFBB4F8...

Cassie Brown
Commissioner of Insurance

Prepared and reviewed by:



Nancy Williams, Staff Attorney
Enforcement

Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §


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

“My name is Mary Ruiz 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 Salvador Villarreal Jr. I have confirmed that:

- a. The last mailing address provided to the department in writing by Salvador Villarreal Jr. is [REDACTED] El Paso, TX 79932-1839.
- b. The file maintained by Enforcement contains a Notice of Hearing, dated November 29, 2023, and an Original Petition dated October 31, 2023, which were filed together with the State Office of Administrative Hearings on November 29, 2023.
- c. On November 29, 2023, the Notice of Hearing and Original Petition addressed to Salvador Villarreal Jr. were mailed certified, return receipt requested, to his last known address and to his previously recorded address on November 2, 2023: [REDACTED], El Paso, TX 79912.

Copies of the certified mail logs maintained by Enforcement are attached as Exhibit D and Exhibit E, respectively.”

DocuSigned by:


 66708382B47C49B...
 Affiant

2024-8618

Commissioner's Order
Salvador Villarreal Jr.
SOAH Docket No. 454-24-04310
Page 5 of 5

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 3/28/2024. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:
Roxanne Rodriguez
C3FD016A04434A6...
Notary Public State of Texas

FILED **2024-8618**
454-24-04310
11/2/2023 11:15 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

ACCEPTED
454-24-04310
11/2/2023 11:20:52 am
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

SOAH DOCKET NO. 454-24-04310.C
TDI ENFORCEMENT FILE NO. 31525

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

SALVADOR VILLARREAL, JR.,

Respondent

BEFORE THE STATE OFFICE

FILED
454-24-04310
11/29/2023 1:56 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

OF

ADMINISTRATIVE HEARINGS

ACCEPTED
454-24-04310
11/29/2023 2:23:48 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

NOTICE OF HEARING

The Texas Department of Insurance (TDI) seeks to take disciplinary action against you. 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 TDI.

A public hearing will be held before an Administrative Law Judge on **March 19, 2024, at 9 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, 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

2024-8618

Notice of Hearing

Salvador Villarreal, Jr.

SOAH Docket No. 454-24-04310.C

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 REVOCATION OF YOUR LICENSE, ISSUANCE OF A CEASE AND DESIST ORDER, IMPOSITION OF ADMINISTRATIVE PENALTIES, AND PAYMENT OF RESTITUTION, 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 REVOCATION OF YOUR LICENSE, ISSUANCE OF A CEASE AND DESIST ORDER, IMPOSITION OF ADMINISTRATIVE PENALTIES, AND PAYMENT OF RESTITUTION, 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
- (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; and
- (3) *(by mail, fax, or email)*
Nancy Williams, Staff Attorney

2024-8618

Notice of Hearing

Salvador Villarreal, Jr.

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Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
nancy.williams@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.

A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents or exhibits with SOAH. Instructions on how to file documents and exhibits 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.

2024-8618

Notice of Hearing

Salvador Villarreal, Jr.

SOAH Docket No. 454-24-04310.C

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

Respectfully Submitted,



Nancy Williams

State Bar No.24058175

Texas Department of Insurance

Enforcement, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6338 (Direct)

(512) 490-1020 (Fax)

nancy.williams@tdi.texas.gov

ATTORNEY FOR THE PETITIONER

TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

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

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Notice of Hearing

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SOAH Docket No. 454-24-04310.C

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CERTIFICATE OF SERVICE

I, Nancy Williams, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent on November 29, 2023 to:

Salvador Villarreal, Jr.



El Paso, TX 79932-1839

Self-represented

Via CM/RRR No.: 9214890194038340255094

A handwritten signature in cursive script that reads "Nancy Williams".

Nancy Williams

FILED
454-24-04310
10/31/2023 1:55 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Matilda Salas, CLERK

2024-8618

SOAH DOCKET No. 454-24-04310

ACCEPTED
454-24-04310
10/31/2023 3:17:59 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Matilda Salas, CLERK

FILED
454-24-04310
11/29/2023 1:56 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

**SOAH DOCKET NO. 454-24-
TDI ENFORCEMENT FILE NO. 31525**

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

ACCEPTED
454-24-04310
11/29/2023 2:23:48 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

v.

OF

SALVADOR VILLARREAL, JR.,

ADMINISTRATIVE HEARINGS

Respondent

ORIGINAL PETITION

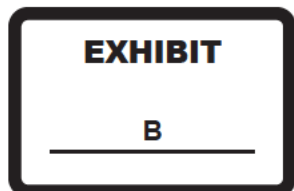
The Texas Department of Insurance (TDI) seeks to take disciplinary action against Salvador Villarreal, Jr. In support of this petition, TDI makes the following allegations upon information and belief:

Jurisdiction

The commissioner of insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102-4005.103, 4051.101, 4054.101; and TEX. GOV'T CODE §§ 2001.051-2001.178.

Factual Allegations

1. Salvador Villarreal, Jr. (Villarreal) holds a general lines agent license with a qualification in property and casualty issued on November 6, 2014 and a qualification in life, accident, health, and HMO issued on March 25, 2015.
2. On March 3, 2021, a *Notice of Hearing* and *Original Petition* were sent to Villarreal by certified mail in SOAH case number 454-21-1526.C, alleging dishonest conduct. Villarreal failed to file an answer or otherwise respond to the notice.
3. On April 7, 2021, the commissioner of insurance entered default order number 2021-6776 revoking Villarreal's license. A nonsuit was subsequently filed removing the case from SOAH's docket.



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Original Petition
Salvador Villarreal, Jr.
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4. On April 30, 2021, Villarreal's counsel filed a *Motion to Set Aside the Default Judgment and Reopen the Record and Motion for Rehearing*, due to his excitement over the birth of his child and his office staff's failure to notify him about the certified notice.
5. On May 28, 2021, the commissioner of insurance issued order number 2021-6849, setting aside the default judgment previously issued and ordering the record be reopened and a new hearing set.
6. On August 20, 2021, Villarreal signed a sworn statement agreeing to the contents and terms of consent order number 2021-6976, negotiated by his attorney of record.
7. On September 1, 2021, the commissioner of insurance issued order number 2021-6976, suspending Villarreal's license for two years. That suspension was probated pursuant to the terms and conditions of the order which included a requirement that Villarreal submit quarterly written reports. The reports were to be submitted on or before the 15th of July, October, January, and April, beginning with the date of the order, and continuing through the probationary period.
8. Villarreal submitted three written reports as directed in October 2021, January 2022, and April 2022. No reports were received for July 2022, October 2022, January 2023, April 2023, or July 2023.
9. On September 14, 2022, TDI staff sent an email to Villarreal indicating that the July 2022 report had not been received, that he was in violation of the order, and that the report must be submitted within 14 days to avoid further action.
10. On September 19, 2022, TDI staff sent a warning letter to Villarreal via certified mail to his address of record, indicating that he was in violation of the order.
11. On October 10, 2022, TDI staff sent a second email to Villarreal indicating that the July 2022 report and the October 2022 reports had not been received and that he was in violation of the order.
12. On October 14, 2022, TDI staff sent a warning letter to Villarreal via certified mail to his address of record, indicating that he was in violation of the order.

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Original Petition
Salvador Villarreal, Jr.
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13. On December 8, 2022, TDI staff sent a warning letter to Villarreal via certified mail to his updated address and to his business address of record, indicating that he was in violation of the order.
14. TDI staff placed calls to Villarreal's phone numbers on record, leaving messages for a returned call between September and December 2022.
15. In December 2022, TDI staff reached out to the attorney who represented Villarreal in the matter, receiving a response that he no longer represents Villarreal.
16. On March 8, 2023, TDI sent a notice of intent to institute disciplinary action against Villarreal for his repeated failures to comply; via certified mail to his address of record, two additional physical addresses, and two electronic mail addresses.
17. On September 20, 2023, TDI sent a final inquiry to Villarreal via certified mail to his address of record, two additional physical addresses, and to two electronic mail addresses, requiring a response by October 5, 2023.

Legal Allegations

1. Villarreal has willfully violated an insurance law, as contemplated by TEX. INS. CODE § 4005.101(b)(1).
2. Villarreal violated the commissioner's order issued under TEX. INS. CODE § 4005.103(1).
3. Remedies for violating a commissioner's order includes revocation of licensure under TEX. INS. CODE §§ 82.051-054 & 4005.102(2)(a).
4. Villarreal failed to respond to TDI's official inquiry, in violation of TEX. INS. CODE § 38.001.

Relief Sought

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

1. Revoking Salvador Villarreal, Jr.'s license, 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,



Nancy Williams
State Bar No. 24058175
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6338(Direct)
(512) 490-1020 (Fax)
nancy.williams@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

2024-8618

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Nancy Williams
Bar No. 24058175
Enforcementgeneral@tdi.texas.gov
Envelope ID: 81154497
Filing Code Description: Request to Docket
Filing Description: Request to Docket
Status as of 10/31/2023 3:22 PM CST

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	10/31/2023 1:55:20 PM	SENT

Associated Case Party: Texas Department of Insurance

Name	BarNumber	Email	TimestampSubmitted	Status
Nancy Williams		Nancy.Williams@tdi.texas.gov	10/31/2023 1:55:20 PM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	10/31/2023 1:55:20 PM	SENT
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	10/31/2023 1:55:20 PM	SENT

Associated Case Party: Salvador Villarreal, Jr.

Name	BarNumber	Email	TimestampSubmitted	Status
Salvador Villarreal, Jr.		[REDACTED]	10/31/2023 1:55:20 PM	SENT

2024-8618

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Nancy Williams
Bar No. 24058175
Enforcementgeneral@tdi.texas.gov
Envelope ID: 81234622
Filing Code Description: Notice of Hearing
Filing Description: Notice of Hearing and Original Petition
Status as of 11/2/2023 11:22 AM CST

Associated Case Party: Texas Department of Insurance

Name	BarNumber	Email	TimestampSubmitted	Status
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	11/2/2023 11:15:29 AM	SENT
Nancy Williams		Nancy.Williams@tdi.texas.gov	11/2/2023 11:15:29 AM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	11/2/2023 11:15:29 AM	SENT
Leah Gillum		Leah.Gillum@tdi.texas.gov	11/2/2023 11:15:29 AM	SENT
Jodie Delgado		jodie.delgado@tdi.texas.gov	11/2/2023 11:15:29 AM	SENT

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	11/2/2023 11:15:29 AM	SENT

2024-8618

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Nancy Williams
Bar No. 24058175
Enforcementgeneral@tdi.texas.gov
Envelope ID: 82058745
Filing Code Description: Notice of Hearing
Filing Description: SOAH stamped NOH OP with additional COS on new address sent 11/29/2023
Status as of 11/29/2023 2:25 PM CST

Associated Case Party: Texas Department of Insurance

Name	BarNumber	Email	TimestampSubmitted	Status
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	11/29/2023 1:56:22 PM	SENT
Leah Gillum		Leah.Gillum@tdi.texas.gov	11/29/2023 1:56:22 PM	SENT
Nancy Williams		Nancy.Williams@tdi.texas.gov	11/29/2023 1:56:22 PM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	11/29/2023 1:56:22 PM	SENT
Jodie Delgado		jodie.delgado@tdi.texas.gov	11/29/2023 1:56:22 PM	SENT

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	11/29/2023 1:56:22 PM	SENT

FILED **2024-8618**
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ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

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ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

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TDI ENFORCEMENT FILE NO. 31525

TEXAS DEPARTMENT OF INSURANCE,

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EXHIBIT

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2024-8618

Notice of Hearing

Salvador Villarreal, Jr.

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- (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
- (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; and
- (3) *(by mail, fax, or email)*
Nancy Williams, Staff Attorney

2024-8618

Notice of Hearing

Salvador Villarreal, Jr.

SOAH Docket No. 454-24-04310.C

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Enforcement, MC ENF
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nancy.williams@tdi.texas.gov

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2024-8618

Notice of Hearing

Salvador Villarreal, Jr.

SOAH Docket No. 454-24-04310.C

Page 4 of 5

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

Respectfully Submitted,



Nancy Williams

State Bar No.24058175

Texas Department of Insurance

Enforcement, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6338 (Direct)

(512) 490-1020 (Fax)

nancy.williams@tdi.texas.gov

ATTORNEY FOR THE PETITIONER

TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

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

2024-8618

Notice of Hearing

Salvador Villarreal, Jr.

SOAH Docket No. 454-24-04310.C

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CERTIFICATE OF SERVICE

I, Nancy Williams, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent 2nd day of November, 2023 to:

Salvador Villarreal, Jr.



El Paso, TX 79912

Respondent Pro Se

Via CM/RRR No.:

9214 8901 9403 8337 2524 26

A handwritten signature in cursive script that reads "Nancy Williams".

Nancy Williams

FILED
454-24-04310
10/31/2023 1:55 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Matilda Salas, CLERK

2024-8618

SOAH DOCKET No. 454-24-04310

ACCEPTED
454-24-04310
10/31/2023 3:17:59 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Matilda Salas, CLERK

**SOAH DOCKET NO. 454-24-
TDI ENFORCEMENT FILE NO. 31525**

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

v.

OF

SALVADOR VILLARREAL, JR.,

ADMINISTRATIVE HEARINGS

Respondent

ORIGINAL PETITION

The Texas Department of Insurance (TDI) seeks to take disciplinary action against Salvador Villarreal, Jr. In support of this petition, TDI 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, 4005.102-4005.103, 4051.101, 4054.101; and TEX. GOV'T CODE §§ 2001.051-2001.178.

Factual Allegations

1. Salvador Villarreal, Jr. (Villarreal) holds a general lines agent license with a qualification in property and casualty issued on November 6, 2014 and a qualification in life, accident, health, and HMO issued on March 25, 2015.
2. On March 3, 2021, a *Notice of Hearing* and *Original Petition* were sent to Villarreal by certified mail in SOAH case number 454-21-1526.C, alleging dishonest conduct. Villarreal failed to file an answer or otherwise respond to the notice.
3. On April 7, 2021, the commissioner of insurance entered default order number 2021-6776 revoking Villarreal's license. A nonsuit was subsequently filed removing the case from SOAH's docket.

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Salvador Villarreal, Jr.
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4. On April 30, 2021, Villarreal's counsel filed a *Motion to Set Aside the Default Judgment and Reopen the Record and Motion for Rehearing*, due to his excitement over the birth of his child and his office staff's failure to notify him about the certified notice.
5. On May 28, 2021, the commissioner of insurance issued order number 2021-6849, setting aside the default judgment previously issued and ordering the record be reopened and a new hearing set.
6. On August 20, 2021, Villarreal signed a sworn statement agreeing to the contents and terms of consent order number 2021-6976, negotiated by his attorney of record.
7. On September 1, 2021, the commissioner of insurance issued order number 2021-6976, suspending Villarreal's license for two years. That suspension was probated pursuant to the terms and conditions of the order which included a requirement that Villarreal submit quarterly written reports. The reports were to be submitted on or before the 15th of July, October, January, and April, beginning with the date of the order, and continuing through the probationary period.
8. Villarreal submitted three written reports as directed in October 2021, January 2022, and April 2022. No reports were received for July 2022, October 2022, January 2023, April 2023, or July 2023.
9. On September 14, 2022, TDI staff sent an email to Villarreal indicating that the July 2022 report had not been received, that he was in violation of the order, and that the report must be submitted within 14 days to avoid further action.
10. On September 19, 2022, TDI staff sent a warning letter to Villarreal via certified mail to his address of record, indicating that he was in violation of the order.
11. On October 10, 2022, TDI staff sent a second email to Villarreal indicating that the July 2022 report and the October 2022 reports had not been received and that he was in violation of the order.
12. On October 14, 2022, TDI staff sent a warning letter to Villarreal via certified mail to his address of record, indicating that he was in violation of the order.

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Original Petition
Salvador Villarreal, Jr.
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13. On December 8, 2022, TDI staff sent a warning letter to Villarreal via certified mail to his updated address and to his business address of record, indicating that he was in violation of the order.
14. TDI staff placed calls to Villarreal's phone numbers on record, leaving messages for a returned call between September and December 2022.
15. In December 2022, TDI staff reached out to the attorney who represented Villarreal in the matter, receiving a response that he no longer represents Villarreal.
16. On March 8, 2023, TDI sent a notice of intent to institute disciplinary action against Villarreal for his repeated failures to comply; via certified mail to his address of record, two additional physical addresses, and two electronic mail addresses.
17. On September 20, 2023, TDI sent a final inquiry to Villarreal via certified mail to his address of record, two additional physical addresses, and to two electronic mail addresses, requiring a response by October 5, 2023.

Legal Allegations

1. Villarreal has willfully violated an insurance law, as contemplated by TEX. INS. CODE § 4005.101(b)(1).
2. Villarreal violated the commissioner's order issued under TEX. INS. CODE § 4005.103(1).
3. Remedies for violating a commissioner's order includes revocation of licensure under TEX. INS. CODE §§ 82.051-054 & 4005.102(2)(a).
4. Villarreal failed to respond to TDI's official inquiry, in violation of TEX. INS. CODE § 38.001.

Relief Sought

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

1. Revoking Salvador Villarreal, Jr.'s license, 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,



Nancy Williams
State Bar No. 24058175
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6338(Direct)
(512) 490-1020 (Fax)
nancy.williams@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

2024-8618

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Nancy Williams
Bar No. 24058175
Enforcementgeneral@tdi.texas.gov
Envelope ID: 81154497
Filing Code Description: Request to Docket
Filing Description: Request to Docket
Status as of 10/31/2023 3:22 PM CST

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	10/31/2023 1:55:20 PM	SENT

Associated Case Party: Texas Department of Insurance

Name	BarNumber	Email	TimestampSubmitted	Status
Nancy Williams		Nancy.Williams@tdi.texas.gov	10/31/2023 1:55:20 PM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	10/31/2023 1:55:20 PM	SENT
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	10/31/2023 1:55:20 PM	SENT

Associated Case Party: Salvador Villarreal, Jr.

Name	BarNumber	Email	TimestampSubmitted	Status
Salvador Villarreal, Jr.		[REDACTED]	10/31/2023 1:55:20 PM	SENT

2024-8618

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Mary Ruiz on behalf of Nancy Williams
Bar No. 24058175
Enforcementgeneral@tdi.texas.gov
Envelope ID: 81234622
Filing Code Description: Notice of Hearing
Filing Description: Notice of Hearing and Original Petition
Status as of 11/2/2023 11:22 AM CST

Associated Case Party: Texas Department of Insurance

Name	BarNumber	Email	TimestampSubmitted	Status
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	11/2/2023 11:15:29 AM	SENT
Nancy Williams		Nancy.Williams@tdi.texas.gov	11/2/2023 11:15:29 AM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	11/2/2023 11:15:29 AM	SENT
Leah Gillum		Leah.Gillum@tdi.texas.gov	11/2/2023 11:15:29 AM	SENT
Jodie Delgado		jodie.delgado@tdi.texas.gov	11/2/2023 11:15:29 AM	SENT

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	11/2/2023 11:15:29 AM	SENT

2024-8618



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: 11/29/2023

Shipped From:

Name: ENF R RODRIGUEZ

Address: 1601 CONGRESS AVE

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 0048 8118 10

Williams/31525

EXHIBIT

D



Firm Mailing Book For Accountable Mail

Name and Address of Sender
ENF R. RODRIGUEZ
1601 CONGRESS AVE
STE 6.900
AUSTIN TX 78701

- 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

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

2024-8618

Table with columns: USPS Tracking/Article Number, Postage, (Extra Service) Fee, Handling Charge, Actual Value, Insured Value, Due Sender if COD, ASR Fee, ASRD Fee, RD Fee, RR Fee, SC Fee, SCRD Fee, ST Fee. Includes address: SALVADOR VILLARREAL, JR., ELPASO, TX 79932-1839.

Postmaster, Per (Name of receiving employee)

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

2024-8618

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: 11/02/2023
Shipped From:
Name: MC ENF M RUIZ
Address: 1601 CONGRESS AVENUE SUITE 6 900
City: AUSTIN
State: TX ZIP+4® 78711

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 0048 2590 56

WILLIAMS/31525





Firm Mailing Book For Accountable Mail

2024-8618

Name and Address of Sender

MC ENF M RUIZ
TEXAS DEPARTMENT OF INSURANCE
1601 CONGRESS AVENUE, SUITE 6.900
AUSTIN TX 78711

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

USPS Tracking/Article Number

1. 9214 8901 9403 8337 2524 26

WILLIAMS/31525

Addressee (Name, Street, City, State, & ZIP Code™)

SALVADOR VILLARREAL, JR
[REDACTED]
EL PASO, TX 79912

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

Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
0.87	4.35	Handling Charge - if Registered and over \$50,000 in value				Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling

RECEIVED
NOV 03 2023
TDL ENFORCEMENT

12345678910111213141516171819202122232425262728293031
CAPITOL STATION
NOV 2023
AUSTIN, TX 78711

Postmaster, Per (Name of receiving employee)

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

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Complete in Ink