

No. **2021-6977**

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

Date: 09/01/2021

Subject Considered:

Americus Insurance LLC
9120 E. Sprague Ave.
Spokane Valley, Washington 99106

Consent Order
TDI Enforcement File No. 25131

General remarks and official action taken:

This is a consent order with Americus Insurance LLC (Americus). The department alleges that Americus paid referral fees to unlicensed individuals when the customer referred to Americus purchased a policy. Americus has agreed to pay a \$15,000 administrative penalty.

Waiver

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

Findings of Fact

1. Americus, firm identification number 164395, holds a non-resident general lines agency license with a property and casualty qualification, issued by the department on December 20, 2019.
2. From December 2019 through May 2021, Americus advertised it would pay and did actually pay a \$100 in compensation to any person when that person was the

2021-6977

Commissioner's Order
Americus Insurance LLC
Page 2 of 4

source of referral of a new customer who purchased an insurance policy through Americus.

3. These referral fees were made to unlicensed individuals in Texas.
4. Americus represents that as of June 2021, it has paid a total of \$15,700 in referral fees.

Washington Administrative Action

5. June 11, 2021, Washington Office of Insurance Commissioner entered a Consent Order Levying a Fine against Americus and its two owners.
6. The order imposed a \$7,000 administrative penalty for paying referral fees conditioned upon the issuance of a policy.

Mitigation

7. On July 6, 2021, Americus agreed to no longer pay the referral fees and notified its staff to cease paying the referral fees.

Conclusions of Law

1. The commissioner has jurisdiction over this matter under TEX. INS. CODE §§ 82.051 – 82.055, 84.021 – 84.044, 4005.101-4005.103, and 4051.051.
2. The commissioner has the authority to informally dispose of this matter as set forth in TEX. GOV'T CODE § 2001.056; TEX. INS. CODE §§ 36.104 and 82.055; and 28 TEX. ADMIN. CODE § 1.47.
3. Americus 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. Americus violated TEX. INS. CODE § 4005.053(a) and (c)(2) by paying unlicensed individuals a fee or other valuable consideration for referring a customer who seeks to purchase an insurance product, based on that customer's purchase of insurance.

2021-6977

Commissioner's Order
Americus Insurance LLC
Page 3 of 4

Order

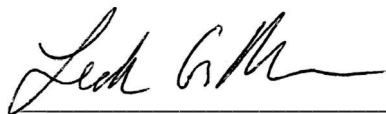
It is ordered that Americus Insurance LLC pay an administrative penalty of \$15,000 within 90 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which the department will send after entry of this order.

Commissioner of Insurance

DocuSigned by:

By: C77A87C8C21B435...
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



Sarah White, Staff Attorney
Enforcement Division

Affidavit

STATE OF Washington §
Spokane §
COUNTY OF Spokane §

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

"My name is Shawn Tracy. 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 Co-Owner and am the authorized representative of Americus Insurance LLC. I am duly authorized by said organization to execute this statement.

Americus Insurance LLC 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."

[Signature]

Affiant

SWORN TO AND SUBSCRIBED before me on 23rd of August, 2021.

(NOTARY SEAL)



[Signature]
Signature of Notary Public

Stephanie M Knight
Printed Name of Notary Public