

2020 - 6265
No. _____

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

Date: FEB 26 2020

Subject Considered:

Moon Shepherd Baker Insurance Agency, Inc.
973 Wakefield
Houston, Texas 77018

Consent Order
TDI Enforcement File No. 22525

General remarks and official action taken:

This is a consent order with Moon Shepherd Baker Insurance Agency, Inc. Moon Shepherd Baker Insurance Agency, Inc. failed to timely file surplus lines policies and related documents. Moon Shepherd Baker Insurance Agency, Inc. has agreed to pay a \$3,250 administrative penalty for these violations.

Waiver

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

Findings of Fact

1. Moon Shepherd Baker Insurance Agency, Inc., organization identification number 5574, 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.

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 2018, Moon Shepherd Baker Insurance Agency, Inc. filed surplus lines policies late.

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. Moon Shepherd Baker Insurance Agency, Inc. 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. Moon Shepherd Baker Insurance Agency, Inc. violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

It is ordered that Moon Shepherd Baker Insurance Agency, Inc. must pay an administrative penalty of \$3,250. 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 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.

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Commissioner's Order

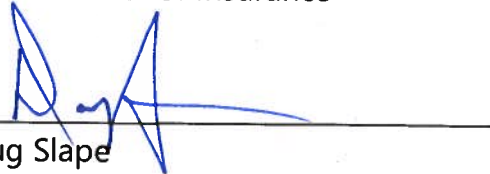
Moon Shepherd Baker Insurance Agency, Inc.

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Kent C. Sullivan

Commissioner of Insurance

By:

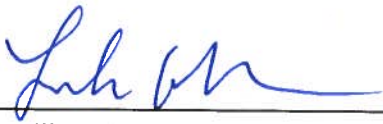


Doug Slape

Chief Deputy Commissioner

Commissioner's Order No. 2018-5528

Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Enforcement Division



Allison J. Anglin, Staff Attorney
Enforcement Division

Affidavit

THE STATE OF TEXAS §

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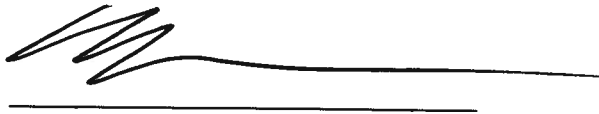
COUNTY OF HARRIS §

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

"My name is WILLIAM BAKER. 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 VICE-PRESIDENT and am the authorized representative of Moon Shepherd Baker Insurance Agency, Inc. I am duly authorized by the organization to execute this statement.


Moon Shepherd Baker Insurance 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 NOV. 19, 2019 2019.

(NOTARY SEAL)


Signature of Notary Public

Ryan Luna
Printed Name of Notary Public

