

No. 2021-6667

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

**Date:** 01/28/2021

**Subject Considered:**

Loubens Michel

  
Ocoee, FL 34761

Default Order  
SOAH Docket No. 454-21-0935  
TDI Enforcement File No. 24450

**General remarks and official action taken:**

This is a default order taken against Loubens Michel (Respondent) because Respondent failed to notify TDI of administrative actions taken against him by other state insurance regulators and does not have a license in good standing as an agent in his home state. Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance. 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 December 29, 2020, 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.

## 2021-6667

Commissioner's Order

Loubens Michel

SOAH Docket No. 454-21-0935

Page 2 of 5

3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, [REDACTED], Ocoee, FL 34761. 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 pursuant to Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.102, 4001.105, 4005.101-4005.105, 4056.052 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 pursuant to 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 pursuant to 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 pursuant to 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 pursuant to 28 TEX. ADMIN. CODE § 1.89.

# 2021-6667

Commissioner's Order

Loubens Michel

SOAH Docket No. 454-21-0935

Page 3 of 5

## Order

It is ordered that any license held by Loubens Michel is revoked. A copy of this order will be provided to law enforcement and/or other appropriate administrative agencies for further investigation as may be warranted.

Commissioner of Insurance

By:    
C77A87C8C21B435...  
\_\_\_\_\_  
Doug Slape  
Chief Deputy Commissioner  
TEX. GOV'T CODE § 601.002  
Commissioner's Order No. 2018-5528

Prepared and reviewed by:

*L. Merida*

\_\_\_\_\_  
Latoya Merida, Staff Attorney  
Enforcement Division

# 2021-6667

Commissioner's Order

Loubens Michel

SOAH Docket No. 454-21-0935

Page 4 of 5

## 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 Loubens Michel. I have confirmed that:

- a. The last mailing address provided to the department in writing by Loubens Michel is [REDACTED], Ocoee, FL 34761.
- b. The file maintained by the Enforcement Division contains a Notice of Hearing and Original Petition dated December 29, 2020, which were filed with the State Office of Administrative Hearings.
- c. On December 29, 2020, the Notice of Hearing and Original Petition addressed to Loubens Michel were mailed certified, return receipt requested, to his last known address.

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

DocuSigned by:

*David Moreno*

C0F4B0539948450...

Affiant

# 2021-6667

Commissioner's Order

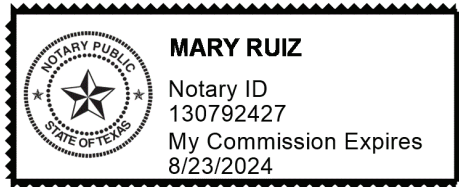
Loubens Michel

SOAH Docket No. 454-21-0935

Page 5 of 5

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 1/21/2021. This notarial act was an online notarization.

## Notary Seal



## Digital Certificate

DocuSigned by:  
*Mary Ruiz*  
795DC4D59167489...  
Notary Public State of Texas

**2021-6667**

ACCEPTED  
454-21-0935  
12/29/2020 10:32 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Jodi Brown, CLERK

FILED  
454-21-0935  
12/29/2020 10:10 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Jodi Brown, CLERK

**SOAH DOCKET NO. 454-21-0935  
TDI ENFORCEMENT FILE NO. 24450**

**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

**v.**

**OF**

**LOUBENS MICHEL,**

**ADMINISTRATIVE HEARINGS**

**Respondent**

**NOTICE OF HEARING**

The Texas Department of Insurance 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 the Department.

A public hearing will be held before an Administrative Law Judge on **Tuesday, April 20, 2021, at 1:00 p.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 pursuant to 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 PURSUANT TO 1 TEX. ADMIN. CODE § 155.501 AND 28 TEX. ADMIN. CODE §§ 1.88 AND 1.89.**

**EXHIBIT**

**A**

## 2021-6667

Notice of Hearing

Loubens Michel

SOAH Docket No. 454-21-0935

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/OR 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/OR 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) 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);
- (2) Chief Clerk  
Texas Department of Insurance  
P.O. Box 149104, MC112-2A  
Austin, Texas 78714-9104  
(512) 490-1064 (Fax)  
chiefclerk@tdi.texas.gov; and
- (3) Latoya Merida, Staff Attorney  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104  
Austin, Texas 78714-9104

## **2021-6667**

Notice of Hearing

Loubens Michel

SOAH Docket No. 454-21-0935

Page 3 of 5

(512) 490-1020 (Fax)

Latoya.merida@tdi.texas.gov

### **Receiving Documents**

The State Office of Administrative Hearings (SOAH) offers you the ability to receive service of orders and other documents issued by SOAH through email instead of by mail or fax. If you want to receive SOAH-issued documents by email, go to SOAH's website, [www.soah.texas.gov](http://www.soah.texas.gov), click on the "E-Services" tab, then click the hyperlink "Request Service by Email (only for use by self-represented litigants)," and follow the instructions.

NOTE: A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents with SOAH. The rules for filing documents and providing copies to all other parties in the case are described in SOAH's Procedural Rules, which are available on SOAH's website. Click the "Agency" tab, then click "Administrative Rules and Laws" to view SOAH's Procedural Rules.

### **Important Security Notice**

**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.**

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

Respectfully Submitted,



# 2021-6667

Notice of Hearing

Loubens Michel

SOAH Docket No. 454-21-0935

Page 4 of 5

*L. Merida*

---

Latoya Merida  
State Bar No. 24089625  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104  
Austin, Texas 78714-9104  
(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-110-1A  
Whitney Fraser, Litigation Director, Enforcement Division, MC-110-1A  
Administrative Review, MC107-1A

**2021-6667**

Notice of Hearing

Loubens Michel

SOAH Docket No. 454-21-0935

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 by electronic mail, on this 29th day of December, 2020 to:

Loubens Michel

[REDACTED]

Ocoee, FL 34761

*Respondent Pro Se*

CM/RRR: 9214 8901 9403 8328 6221 91

Via Email: [REDACTED]

*L. Merida*

---

Latoya Merida

**SOAH DOCKET NO. 454-\_\_\_\_\_**  
**TDI ENFORCEMENT FILE NO. 24450**

**TEXAS DEPARTMENT OF INSURANCE,**

**Petitioner**

**v.**

**LOUBENS MICHEL,**

**Respondent**

**BEFORE THE STATE OFFICE**

**OF**

**ADMINISTRATIVE HEARINGS**

**ORIGINAL PETITION**

The Texas Department of Insurance seeks to take disciplinary action against Loubens Michel. 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 pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, and 4101.051 and 4056.052, and TEX. GOV'T CODE §§ 2001.051-2001.178.

**Factual Allegations**

Licensure

1. Under Individual identification number 2033087, Loubens Michel (Michel) holds a non-resident adjuster license with an adjuster all lines qualification, originally issued by the department on April 24, 2019.
2. Michel has a Texas non-resident license because he lives in Florida. This license type requires that Michel have a resident license in good standing in his home state.

**EXHIBIT**

**B**

# 2021-6667

Original Petition

Loubens Michel

Page 2 of 3

## Florida Criminal Charge and Administrative Action

3. On February 26, 2020, Michel was charged with one first degree felony count of Organized Scheme to Defraud > \$50,000 and one first degree felony count of Grand Theft Over \$100,000 in the Circuit Court of the Seventh Judicial Circuit in Volusia County, in the state of Florida.
4. On March 27, 2020, the Florida Department of Financial Services entered an Order of Temporary Suspension against Michel.
5. The order suspended Michel's resident insurance licenses due to his pending felony charges.
6. Michel failed to notify TDI of the suspension of his home state licenses.

### **Legal Allegations**

1. Michel does not hold a license in good standing as an agent in his home state of residence, as required by TEX. INS. CODE § 4056.052, and is no longer eligible to hold a non-resident license in Texas.
2. Michel failed to notify TDI of the administrative action taken against him by an insurance regulator of another state, in violation of TEX. INS. CODE § 4001.252(a)(3).

### **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. revoking Loubens Michel'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,

*L. Merida*

---

Latoya Merida  
State Bar No. 24089625  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104  
Austin, Texas 78714-9104  
(512) 676-6344 (Direct)  
(512) 490-1020 (Fax)  
Latoya.merida@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

2021-6667



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: 12/29/2020  
Shipped From:  
Name: MC 110-1A D MORENO  
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 0026 0448 96



merida/24450

EXHIBIT

C



**2021-6667**

Name and Address of Sender

MC 110-1A D Moreno  
Texas Department of Insurance  
333 Guadalupe St  
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

USPS Tracking/Article Number

1. 9214 6901 9403 8328 6221 91  
merida/24450

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

LOUBENS MICHEL [REDACTED] DOBEE, FL 34761

Postage (Extra Service) Fee 3.55

Handling Charge - if Registered and over \$50,000 in value

Actual Value Insured Value

Due Sender if COD

ASR Fee Fee Fee Fee Fee Fee Fee Fee

SCRD Fee Fee Fee Fee Fee Fee Fee Fee

SIF Fee Fee Fee Fee Fee Fee Fee Fee

1.70

Adult Signature Required

Adult Signature Restricted Delivery

Restricted Delivery

Return Receipt

Signature Confirmation

Signature Confirmation Restricted Delivery

Special Handling

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

Postmaster, Per (Name of receiving employee)

*[Signature]*  
Complete in Ink

