

No. **2016-4841**

**OFFICIAL ORDER  
of the  
TEXAS COMMISSIONER OF INSURANCE**

**Date:** DEC 07 2016

**Subject Considered:**

NEW ALLIANCE INSURANCE BROKERS, INC.  
3700 Santa Fe Ave., Suite 300  
Long Beach, California 90810

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 11660

**General remarks and official action taken:**

The commissioner of insurance considers disciplinary action against New Alliance Insurance Brokers, Inc. for failure to timely file new or renewal surplus lines insurance policies with the Surplus Lines Stamping Office of Texas.

**Waiver**

New Alliance Insurance Brokers, Inc. acknowledges that the Texas Insurance Code and other applicable law provide certain rights. New Alliance Insurance Brokers, 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. New Alliance Insurance Brokers, Inc., organization identification number 25192, 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 60<sup>th</sup> day after the later of the effective date or the issue date of new or renewal surplus lines insurance.

3. In 2015, New Alliance Insurance Brokers, Inc. filed surplus lines policies late.

## Conclusions of Law

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE § 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. New Alliance Insurance Brokers, 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. New Alliance Insurance Brokers, Inc. violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

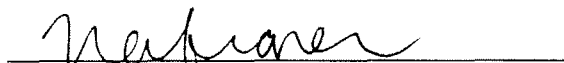
The commissioner orders New Alliance Insurance Brokers, Inc. to pay an administrative penalty of \$20,000. The administrative penalty must be paid within 30 days from the date of this order. The administrative penalty must be paid by cashier's check or money order made payable to the "State of Texas." Mail the administrative penalty to the Texas Department of Insurance, Attn: Enforcement Section, Division 40111, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.

The commissioner further orders New Alliance Insurance Brokers, Inc. to implement internal policies, procedures, and other safeguards designed to ensure future surplus lines policies and related documents are timely filed in compliance with TEX. INS. CODE § 981.105(a).



David C. Mattax  
Commissioner of Insurance

For the Department:



Whitney A. Fraser, Staff Attorney

Affidavit

THE STATE OF California §


COUNTY OF Los Angeles §

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

"My name is Luis Marcelo Povoio. 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 President and am the authorized representative of New Alliance Insurance Brokers, Inc. I am duly authorized by the organization to execute this statement.

New Alliance Insurance Brokers, 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."

  
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Affiant

SWORN TO AND SUBSCRIBED before me on December 5<sup>th</sup>, 2016.

(NOTARY STAMP)

Dee Cahel  
Signature of Notary Public

