

No. 2017- 5039

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

Date: APR 24 2017

Subject Considered:

LOVIE WILLIAMS
8101 Leonora St, # 408
Houston, Texas 77061

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 11503

General remarks and official action taken:

The commissioner of insurance considers whether a limited lines agent license should be issued to Lovie Williams.

WAIVER

Williams acknowledges that the Texas Insurance Code and other applicable laws provide certain rights. Williams waives all of these rights in consideration of the entry of this consent order.

FINDINGS OF FACT

The commissioner makes the following findings of fact:

1. On May 5, 2016, Williams applied for a limited lines agent license to be issued by the Texas Department of Insurance. On June 2, 2017, the department proposed to deny Williams's application based on her criminal history, and she timely submitted a written request for a hearing.
2. On February 21, 2007, the 183rd Judicial District Court of Harris County, Texas placed Williams on deferred adjudication for the offense of theft greater than \$1,500.00, but less than \$20,000.00, a state jail felony, and ordered Williams to serve three years of probation. Williams failed to fulfill the terms of probation, and the court revoked her probation on January 23, 2008, sentencing Williams to six months in state jail.
3. On February 2, 2010, Williams pleaded guilty to the offense of tampering with a government record, a state jail felony, in the 338th Judicial District Court of Harris County Texas. Williams served 60 days in the Harris County Jail for signing the name of another person to a Texas Department of Licensing and Regulation form.

4. Williams has cooperated with TDI in its investigation of her criminal background and has provided mitigating evidence to support her fitness for licensure as follows:
 - a. she served all sentences imposed for prior criminal offenses;
 - b. she has not committed or been convicted of any other criminal offenses since 2010;
 - c. she accepted responsibility and expressed remorse for her criminal conduct;
 - d. she has been continuously employed in varying capacities since her release in 2010 including with an insurance agency and with the Houston Independent School District;
 - e. she is currently employed with the Houston Independent School District as a teacher's assistant; and
 - f. she provided three letters of recommendation, including letters from her future employer at Freeway Insurance Agency in Houston, Texas, consistently referring to her as hardworking, responsible, and motivated.
5. Due to Williams's criminal background, the department needs an opportunity to monitor her insurance activities to ensure she demonstrates the ability, capability, and fitness required to perform and discharge the responsibilities of a licensed limited lines agent.

CONCLUSIONS OF LAW

The commissioner makes the following conclusions of law:

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.102, 4001.105, 4005.101, 4051.101 and 4054.101; TEX. GOV'T CODE §§ 2001.051-2001.178; 28 TEX. ADMIN. CODE § 1.502; and TEX. OCC. CODE §§ 53.021-53.023.
2. The commissioner has the authority to dispose of this case informally pursuant to the provisions of TEX. GOV'T CODE § 2001.056, 28 TEX. ADMIN. CODE § 1.47, and TEX. INS. CODE § 82.055.
3. Williams committed an act for which a license may be denied, as contemplated by TEX. INS. CODE §§ 4001.105 and 4005.101.
4. Pursuant to 28 TEX. ADMIN. CODE § 1.502(f), the commissioner has determined that the factors in TEX. OCC. CODE §§ 53.022-53.023 outweigh the serious nature of Williams's criminal offenses.
5. The commissioner is an insurance regulatory official authorized to regulate Williams's activities in the business of insurance. The commissioner has primary jurisdiction to grant Williams written consent to engage or participate in the business of insurance, pursuant to 18 U.S.C. § 1033.

The commissioner of insurance orders that a limited lines agent license is granted to Lovie Williams. The commissioner further orders that the limited lines agent license is suspended for four years, probated.

If, during the probation period imposed by this order, the department issues any additional licenses or authorizations to Lovie Williams, those additional licenses or authorizations will be suspended until the probation period imposed by this order has ended. The suspension shall be probated, and the same terms and conditions stated in this order will apply.

Beginning from the date of this order and continuing through the probation period, Williams must provide written notice of her criminal record to any appointing company, agency, or sponsor. Williams must provide the department with a copy of the notification within 30 days of the appointment or sponsorship to the Texas Department of Insurance, Attn: Catherine Bell or her successor, Enforcement Section, Mail Code 110-1A, P.O. Box 149104, Austin, Texas 78714-9104.

Beginning from the date of this order and continuing through the probation period, Williams must file a written report, on or before the 15th day of the month on a quarterly basis for the months of March, June, September, and December, with the Texas Department of Insurance, Attn: Catherine Bell or her successor, Enforcement Section, Mail Code 110-1A, P.O. Box 149104, Austin, Texas 78714-9104. The reports must include the following information:

- a. Williams's current mailing address and telephone number;
- b. the name, mailing address, and telephone number of Williams's employer, and if Williams is self-employed, a statement that she is self-employed and the name, mailing address, and telephone number of her business;
- c. the name and address of any insurer which has appointed Williams as a limited lines agent;
- d. the name and address of any insurer which has canceled Williams's appointment as a limited lines agent; and
- e. a copy of any and all contracts Williams has entered into with an insurer, broker, managing general agent, managing general agency, or any person or entity in the business of insurance.

Williams must notify the department immediately of the following:

- a. any charges or indictments filed against her for a misdemeanor or felony during the period she is required to file reports, excluding traffic offenses and Class C misdemeanors;
- b. any state or regulatory actions taken against her, including formal and informal actions;
- c. any change in her employment or her residence; and
- d. any complaint made against Williams concerning her performance as an insurance agent, as well as a written explanation detailing the steps taken to resolve it.

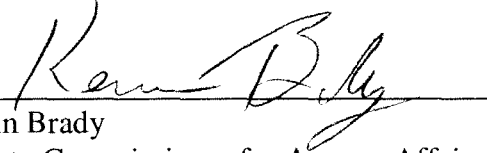
The commissioner grants written consent, as contemplated by 18 U.S.C. § 1033(e)(2), for Williams to engage in the business of insurance with respect to persons that are domiciled in and

COMMISSIONER'S ORDER

Lovie Williams

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risks and subjects of insurance that are resident, located, or to be performed in Texas. This written consent will remain in effect for as long as Williams renews her license. This written consent terminates immediately if any insurance license or authorization held by Williams is suspended or revoked.



Kevin Brady

Deputy Commissioner for Agency Affairs

Texas Department of Insurance

Delegation Order 4506

APPROVED AS TO FORM AND CONTENT:



LaKisha T. Seldon McKay

Staff Attorney

Enforcement Section

Texas Department of Insurance

Affidavit

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 Lovie Williams. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

I waive rights provided by the Texas Insurance Code and other applicable law and acknowledge the jurisdiction of the commissioner.

I have knowingly and voluntarily entered into this consent order and agree with and consent to the issuance and service of the same by the commissioner of insurance of the State of Texas."

Lovie Williams
Affiant

SWORN TO AND SUBSCRIBED before me on this 28th day of March, 2017.

(NOTARY STAMP)

Barbara Sue Wang
Signature of Notary Public

