

No. 2017 - 5224

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

Date: SEP 20 2017

**Subject Considered:**

LAKEITHA DENICE WALKER  
1438 Elliott Street SE  
Grand Rapids, MI 49507

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 12426

**General remarks and official action taken:**

This order is in consideration of whether an adjuster property and casualty designated home state Texas license should be issued to LaKeitha Denice Walker.

**WAIVER**

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

**FINDINGS OF FACT**

1. On September 8, 2016, Walker applied for an adjuster property and casualty designated home state Texas license. On December 20, 2016, the department proposed to deny Walker's application based on her criminal history, and she timely submitted a written request for a hearing.
2. On June 1, 2016, Walker entered a plea of nolo contendere to the charge of fraud – welfare (failure to inform) less than \$500.00, a misdemeanor, in the 17th Circuit Court of the State of Michigan. The court ordered Walker to pay \$11,024.63 in joint and several restitution, and \$1,258.00 in various court costs and fines.
  - a. The offense was committed in 2009, and Walker was charged in December 2015.
3. On May 23, 2017, the court reduced Walker's restitution obligation to \$5,512.31 and issued an order declaring Walker's restitution obligation paid in full. On June 13, 2017, Walker paid the remaining balance of the court costs and fines.

4. Walker has cooperated with the department in its investigation of her criminal background and has provided mitigating evidence to support her fitness for licensure as follows:
  - a. she fulfilled all obligations imposed in her criminal case;
  - b. she has not committed or been convicted of any other criminal offenses;
  - c. she accepted responsibility and expressed remorse for her criminal conduct;
  - d. she has been continuously employed since 2003, including ten years with the Kent County Department of Human Services, and most recently with Farmers Insurance Group;
  - e. she is currently employed with the Farmers Insurance Group as a Liability Claims Adjuster pending issuance of her adjuster property and casualty designated home state Texas license; and
  - f. she provided several letters of recommendation, including from her current employer at Farmers Insurance Group, consistently referring to her as diligent, cooperative, a hard-worker, and knowledgeable.
5. Due to Walker'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 adjuster.

#### 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, and 4101.051; 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. Walker committed an act for which a license may be denied, as contemplated by TEX. INS. CODE §§ 4001.105 and 4005.101.
4. Walker committed a misdemeanor that directly relates to the duties and responsibilities of the licensed occupation, as contemplated by TEX. OCC. CODE §§ 53.021-53.023 and 28 TEX. ADMIN. CODE § 1.502.
5. Walker committed an offense for which fraud, dishonesty, or deceit is an essential element, as contemplated by TEX. OCC. CODE §§ 53.021-53.023 and 28 TEX. ADMIN. CODE § 1.502(e)(1).
6. Pursuant to 28 TEX. ADMIN. CODE § 1.502(f), the factors in TEX. OCC. CODE §§ 53.022-53.023 outweigh the serious nature of Walker's criminal offense.

The commissioner of insurance orders that an adjuster property and casualty designated home state Texas license is granted to LaKeitha Denice Walker. The commissioner further orders that the adjuster property and casualty designated home state Texas license is suspended for two years, probated.

If, during the probation period imposed by this order, the department issues any additional licenses or authorizations to LaKeitha Denice Walker, those additional licenses or authorizations will be suspended until the probation period imposed by this order has ended. The suspension will 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, Walker must provide written notice of her criminal record to any employer, company, or other entity on behalf of which she performs the acts of an adjuster. Walker must provide the department with a copy of the notification within 30 days of being employed or retained 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.

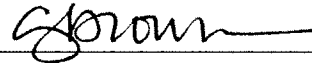
Beginning from the date of this order and continuing through the probation period, Walker must file a written report, on or before the 15th day of the month on a quarterly basis for the months of March, June, September, and December, with the Texas Department of Insurance, Attn: Catherine Bell or her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

- a. Walker's current mailing address and telephone number;
- b. the name, mailing address, and telephone number of Walker's employer, and if Walker 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 or entity which has employed or contracted with Walker as an adjuster;
- d. the name and address of any insurer or entity which has terminated Walker's employment or contract as an adjuster; and
- e. a copy of any and all contracts Walker has entered into with an insurer, broker, managing general agent, managing general agency, or any person or entity in the business of insurance.

Walker 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 Walker concerning her performance as an adjuster, as well as a written explanation detailing the steps taken to resolve it.



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Cassie Brown  
Deputy Commissioner  
Regulatory Policy Division  
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 §

COUNTY OF Kent, Michigan §

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

"My name is LaKeitha Denice Walker. 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."

  
\_\_\_\_\_  
Affiant

SWORN TO AND SUBSCRIBED before me on this 29<sup>th</sup> day of August, 2017.

(NOTARY STAMP)

Holly Ann Zimmer  
Signature of Notary Public

Holly Ann Zimmer  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF Kent  
My Commission Expires Mar. 18, 2022  
Acting in the County of Kent.