

No. 2020- 6251

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

Date: FEB 26 2020

**Subject Considered:**

Thomas Martin Sheehy  
70 Bridge Plaza Dr.  
Manalapan, New Jersey 07726

Consent Order  
TDI Enforcement File No. 22527

**General remarks and official action taken:**

This is a consent order with Thomas Martin Sheehy. Thomas Martin Sheehy failed to timely file surplus lines policies and related documents. Thomas Martin Sheehy has agreed to pay a \$2,700 administrative penalty for these violations.

**Waiver**

Thomas Martin Sheehy acknowledges that the Texas Insurance Code and other applicable law provide certain rights. Thomas Martin Sheehy waives all of these rights, and any other applicable procedural rights, in consideration of the entry of this consent order.

**Findings of Fact**

1. Thomas Martin Sheehy, individual identification number 587296, 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, Thomas Martin Sheehy filed surplus lines policies late.
4. Thomas Martin Sheehy did not timely pay the fees assessed pursuant to TEX. INS. CODE § 981.105(c-e).

### **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. Thomas Martin Sheehy 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. Thomas Martin Sheehy 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 Thomas Martin Sheehy must pay an administrative penalty of \$2,700. 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  
Thomas Martin Sheehy  
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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

  
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Allison J. Anglin, Staff Attorney  
Enforcement Division

**Affidavit**

THE STATE OF   NJ  

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COUNTY OF   MONMOUTH  

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

"My name is Thomas Martin Sheehy. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

I have knowingly and voluntarily entered into the foregoing 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."

  T. M. Sheehy    
Affiant

SWORN TO AND SUBSCRIBED before me on   11/19  , 2019.

(NOTARY SEAL)

  Richard J. Epstein    
Signature of Notary Public  
  RICHARD J. EPSTEIN    
Printed Name of Notary Public

**RICHARD J EPSTEIN**  
ID # 2355211  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
My Commission Expires Jan. 31, 2022