

No. 2020-6434

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

Date: 08/13/2020

Subject Considered:

Jonathan Vasquez Luna
19 Sandra Lane
Canyon, Texas 79015

Default Order
SOAH Docket No. 454-20-3926.C
TDI Enforcement File No. 16866

General remarks and official action taken:

This is a default order taken against Jonathan Vasquez Luna (Respondent) because he: engaged in fraudulent or dishonest acts or practices; made a material misstatement in his license application; obtained or attempted to obtain a license by fraud or misrepresentation; has been convicted of a felony; and willfully violated an insurance law of this 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 June 10, 2020, the department filed a Notice of Hearing, attached as Exhibit A, and on June 8, 2020, the department filed 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.

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3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, 19 Sandra Lane, Canyon, Texas, 79015. The Notice of Hearing and Original Petition were also sent to an additional address associated with Respondent: 1209 7th Ave, Canyon, Texas 79015.
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, 4005.101, 4005.102, 4051.051, and 4054.051; 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.

Order

It is ordered that Jonathan Vasquez Luna's general lines agent license with a life, accident, and health qualification and a property and casualty qualification is revoked.

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Commissioner's Order

Jonathan Vasquez Luna

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Kent C. Sullivan

Commissioner of Insurance

DocuSigned by:

Doug Slape

By: _____

C77A87C8C21B435...

Doug Slape

Chief Deputy Commissioner

Commissioner's Order No. 2018-5528

Prepared and reviewed by:

Stephanie Andrews

Stephanie Andrews, Staff Attorney
Enforcement Division

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Jonathan Vasquez Luna
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Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §


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

"My name is Mary Ruiz 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 Jonathan Vasquez Luna. I have confirmed that:

- a. The last mailing address provided to the department in writing by Jonathan Vasquez Luna is 19 Sandra Lane, Canyon, Texas 79015.
- b. The file maintained by the Enforcement Division contains a Notice of Hearing dated June 10, 2020, and an Original Petition dated June 8, 2020, which were filed with the State Office of Administrative Hearings.
- c. On June 10, 2020, the Notice of Hearing and Original Petition addressed to Jonathan Vasquez Luna, was mailed certified, return receipt requested, to his last known address and one additional address: 1209 7th Ave, Canyon, Texas 79015.

A copy of the certified mail log maintained by the Enforcement Division is attached as Exhibit C."

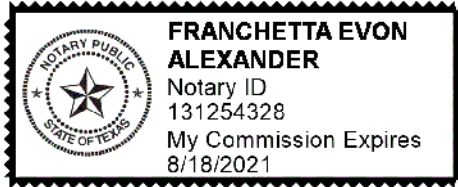
DocuSigned by:

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Affiant

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Commissioner's Order
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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 7/31/2020, 2020. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:
Franchetta Alexander
ED54810E15BF40C...

Notary Public State of Texas

2020-6434

FILED
454-20-3926
6/10/2020 8:42 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Donnie Roland, CLERK

ACCEPTED
454-20-3926
6/10/2020 8:47 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Donnie Roland, CLERK

SOAH DOCKET NO. 454-20-3926.C
TDI ENFORCEMENT FILE NO. 16866

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

v.

OF

JONATHAN VASQUEZ LUNA,

ADMINISTRATIVE HEARINGS

Respondent

NOTICE OF HEARING

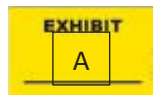
The Texas Department of Insurance seeks to take disciplinary action against you. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **Tuesday, August 18, 2020, at 9:00 a.m.** The hearing will take place at the State Office of Administrative Hearings, located in the William P. Clements Building, 300 W. 15th Street, 4th Floor, Austin, Texas, 78701.

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, 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.



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Notice of Hearing

Jonathan Vasquez Luna

SOAH Docket No. 454-20-3926.C

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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) Stephanie Andrews, Staff Attorney
Texas Department of Insurance
Enforcement Division, MC110-1A
P.O. Box 149104
Austin, Texas 78714-9104

(512) 490-1020 (Fax)
Stephanie.Andrews@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, click on the "E-Services" tab, then click the "eFiling" hyperlink, 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,



Stephanie Andrews
State Bar No. 24063672
Texas Department of Insurance

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Notice of Hearing
Jonathan Vasquez Luna
SOAH Docket No. 454-20-3926.C
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Enforcement Division, MC110-1A
P.O. Box 149104
Austin, Texas 78714-9104
(512) 676-6346 (Direct)
(512) 490-1020 (Fax)
Stephanie.Andrews@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

cc: Leah Gillum, Deputy Commissioner, Enforcement Division, MC-110-1A
Ginger Loeffler, Litigation Director, Enforcement Division, MC-110-1A
Administrative Review, MC107-1A

CERTIFICATE OF SERVICE

I, Stephanie Andrews, certify that a true and correct copy of this *Notice of Hearing* and the *Original Petition* were sent by certified mail, return receipt requested, on this 10th day of June, 2020 to:

Jonathan Vasquez Luna
19 Sandra Lane
Canyon, Texas 79015
Respondent Pro Se

Via CM/RRR No.: 9214 8901 9403 8314 1479 05

Jonathan Vasquez Luna
1209 7th Ave
Canyon, Texas 79015
Respondent Pro Se

Via CM/RRR No.: 9214 8901 9403 8314 1480 25



Stephanie Andrews

SOAH DOCKET NO. 454- 20-3926.C
TDI ENFORCEMENT FILE NO. 16866

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

JONATHAN VASQUEZ LUNA,

Respondent

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

ORIGINAL PETITION

The Texas Department of Insurance seeks to take disciplinary action against Jonathan Vasquez Luna. 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, 4051.051, and 4054.051, and TEX. GOV'T CODE §§ 2001.051-2001.178.

Factual Allegations

Licensure

1. Jonathan Vasquez Luna (Luna), individual identification no. 1577167, holds a general lines agent license with a life, accident, and health qualification and a property and casualty qualification issued by the Texas Department of Insurance on April 7, 2016.

Criminal History

2. On October 19, 2016, Luna was indicted for Theft of Property greater than or equal to \$2,500 but less than \$30,000, a felony, in the 320th District Court of Potter County, Texas in case number 072581-D.



3. From approximately July 9, 2015, through January 13, 2016, Luna unlawfully acquired United States currency belonging to his employer without the consent of his employer.
4. On April 4, 2017, Luna was sentenced to two years deferred adjudication probation and ordered to pay \$10,122 in restitution. On April 30, 2019, Luna was successfully discharged from probation.

License Renewal

5. On or about July 12, 2018, Luna submitted an application for renewal of his insurance license. In the application, Luna answered "No" to the following question:

Have you been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony, which has not been previously reported to this insurance department?
6. Since Luna had already been placed on deferred adjudication probation at the time of his application, he misrepresented his criminal history to the department.

Cancelation of Appointments

7. On April 16, 2019, Luna's appointments with State Farm County Mutual Insurance Company of Texas, State Farm Fire and Casualty Company, State Farm General Insurance Company, State Farm Life Insurance Company, State Farm Lloyds, and State Farm Mutual Automobile Insurance Company, were canceled.
8. Since April 16, 2019, Luna has not held an active appointment and has not been actively engaged in soliciting or writing insurance.

Failure to Respond to Department Inquiries

9. The department made a written request for information pursuant to Section 38.001 of the Texas Insurance Code to Luna on February 5, 2019. While Luna initially attempted to provide a response, he failed to provide a complete response to the request by the 15th day after receiving the request or to send a written request for more time to respond.

10. The department made additional written requests for information pursuant to Section 38.001 of the Texas Insurance Code to Luna on June 20, 2019; August 21, 2019; and September 16, 2019. Luna failed to respond by the 15th day after receiving each of these requests or to send any written requests for more time to respond.

Legal Allegations

1. Luna has willfully violated an insurance law of this state, as contemplated by TEX. INS. CODE § 4005.101(b)(1).
2. Luna made a material misstatement in his license application, in violation of TEX. INS. CODE § 4005.101(b)(2).
3. Luna has obtained or attempted to obtain a license by fraud or misrepresentation, in violation of TEX. INS. CODE § 4005.101(b)(3).
4. Luna has engaged in fraudulent or dishonest acts or practices, in violation of TEX. INS. CODE § 4005.101(b)(5).
5. Pursuant to TEX. OCC. CODE § 53.021(d)(1)(B)(i) and (d)(2), Luna has been convicted of a felony, in violation of TEX. INS. CODE § 4005.101(b)(8).
6. Luna committed an offense that the department considers to be of such serious nature that it is of prime importance in determining fitness for licensure, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(1), (3), and (4)(F).
7. Department guidelines, 28 TEX. ADMIN. CODE § 1.502(c)-(e), emphasize that TDI:
 - a. considers it very important that license holders be honest, trustworthy, and reliable;
 - b. may revoke or refuse to renew a license if the department determines that the license holder has committed a felony or has engaged in fraudulent or dishonest activity that directly relates to the duties and responsibilities of the licensed occupation; and

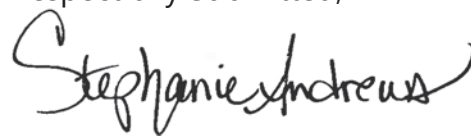
- c. considers the offense of Theft of Property greater than or equal to \$2,500 but less than \$30,000, to be of such a serious nature that it is of prime importance when determining fitness for licensure. 28 TEX. ADMIN. CODE § 1.502(e)(4)(F).
8. Luna is not actively engaged in soliciting or writing insurance for the public generally as required by Section 4001.104(a), in violation of TEX. INS. CODE § 4005.101(b)(10).
9. Luna failed to respond no later than the 15th day after receiving an inquiry in writing from the department or to send a written request for more time to respond, in violation of TEX. INS. CODE § 38.001.

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 Jonathan Vasquez Luna's license;
2. directing Jonathan Vasquez Luna to pay an administrative penalty under TEX. INS. CODE §§ 84.021 – 84.022; and
3. 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,



Stephanie Andrews
State Bar No. 24063672
Texas Department of Insurance
Enforcement Division, MC110-1A
P.O. Box 149104
Austin, Texas 78714-9104

2020-6434

Original Petition
Jonathan Vasquez Luna
Page 5 of 5

(512) 676-6346 (Direct)
(512) 490-1020 (Fax)
Stephanie.Andrews@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE



**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: 06/10/2020

Shipped From:

Name: MC 110-1A M RUIZ

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	2
Total	2

*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:

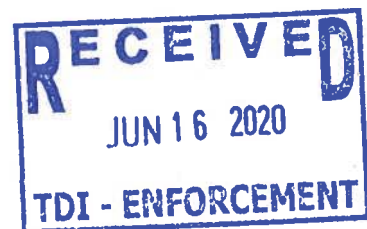
1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

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 0022 3488 06



Andrews/16866





Firm Mailing Book For Accountable Mail

2020-6434

Name and Address of Sender

MC 110-1A M RUIZ
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 8901 9403 8314 1479 05

Andrews/16866

2. 9214 8901 9403 8314 1480 25

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

JONATHAN VASQUEZ LUINA 19 SANDRA LANE CANYON TX 79015

JONATHAN VASQUEZ LUINA 1209 7TH AVE CANYON TX 79015

Affix Stamp Here
(if issued as an international certificate of mailing or for additional copies of this receipt).
Postmark with Date of Receipt.

Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1.40	3.55	Handling Charge - if Registered and over \$50,000 in value				Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling
1.40	3.55											



Total Number of Pieces Listed by Sender: 2

Total Number of Pieces Received at Post Office: 2

Postmaster, Per (Name of receiving employee): *J. Vasquez*

Certificate Of Completion

Envelope Id: 2397117B07AC4120A5F7BBF614069BEE	Status: Completed
Subject: Please DocuSign: Default Order_16866_Luna.pdf	
Source Envelope:	
Document Pages: 16	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Disabled	Franchetta Alexander
Time Zone: (UTC-06:00) Central Time (US & Canada)	Franchetta.Alexander@tdi.texas.gov
	IP Address: 204.65.238.70


Record Tracking

Status: Original 7/28/2020 3:36:41 PM	Holder: Franchetta Alexander Franchetta.Alexander@tdi.texas.gov	Location: DocuSign
Security Appliance Status: Connected	Pool: FedRamp	
Storage Appliance Status: Connected	Pool: Texas Department of Insurance	Location: DocuSign

Signer Events

Mary Ruiz
Mary.Ruiz@tdi.texas.gov
Security Level: Notarized Signing (Notary: Franchetta Alexander), Account Authentication (None), Access Code

Signature

DocuSigned by:

5A86D34B784D404...
Signature Adoption: Pre-selected Style
Using IP Address: 204.65.238.70

Timestamp

Sent: 7/28/2020 3:39:35 PM
Resent: 7/31/2020 3:31:44 PM
Viewed: 7/28/2020 3:48:48 PM
Signed: 7/31/2020 3:34:12 PM

Electronic Record and Signature Disclosure:
Accepted: 7/28/2020 3:48:48 PM
ID: cda48ea9-f5f6-4a7a-92d5-982e09b553c3

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Witness Events

Signature

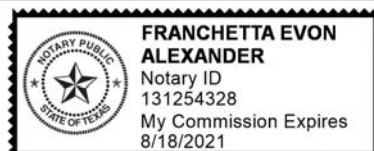
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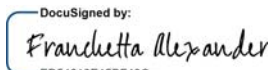
Notary Events

Signature

Timestamp

Notary Name: Franchetta Alexander
Notary Email: Franchetta.Alexander@tdi.texas.gov
Notary Address: 333 Gaudalupe St Austin TX 78701
Notary Signer: Mary Ruiz
Notary Designated By: Franchetta Alexander
Security Level: Email, Account Authentication (None)



DocuSigned by:

ED54610E15BF40C...

Using IP Address: 204.65.238.70

Sent: 7/28/2020 3:39:35 PM
Resent: 7/31/2020 3:31:43 PM
Viewed: 7/31/2020 3:34:56 PM
Signed: 7/31/2020 3:35:12 PM
Freeform Signing

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

2020-6434

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	7/31/2020 3:31:44 PM
Certified Delivered	Security Checked	7/31/2020 3:34:56 PM
Signing Complete	Security Checked	7/31/2020 3:35:12 PM
Completed	Security Checked	7/31/2020 3:35:12 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

2020-6434

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Carahsoft oboTexas Department of Insurance (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Carahsoft oboTexas Department of Insurance:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: itslibrary@tdi.texas.gov

To advise Carahsoft oboTexas Department of Insurance of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at itslibrary@tdi.texas.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from Carahsoft oboTexas Department of Insurance

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to itslibrary@tdi.texas.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Carahsoft oboTexas Department of Insurance

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

2020-6434

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to itslibrary@tdi.texas.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

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