

No. **2021-6863**

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

Date: 06/10/2021

Subject Considered:

Trucmai T. Le
6110 Gladewell Dr.
Houston, Texas 77072-1502

Consent Order
TDI Enforcement File No. 20131

General remarks and official action taken:

This is a consent order with Trucmai T. Le (Le). The department alleges that Le provided false evidence of insurance coverage to her client. Le agrees to pay a \$2,500 administrative penalty and a probated suspension of her agent licenses for two years pursuant to the terms and conditions stated in this order.

Waiver

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

Findings of Fact

Licensure

1. Le, individual identification no. 808712, holds a life agent license issued by the Texas Department of Insurance on September 30, 2008, and a general lines agent license with a property and casualty qualification issued on October 14, 2009.

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Certificates of Insurance

2. Le provided Jose Macias DBA Eagle Construction & Drywall with certificates of liability insurance when there was no actual coverage in place. Le claimed that Jose Macias was a longtime customer. Le provided the accords that had a prefix MGL before the policy number, which indicated a quote. Macias never paid Le for this coverage and Le never placed coverage.
3. On April 18, 2019, Golden Sands General Contractors, Inc. filed a complaint with the department that the certificates of insurance provided by Le were fraudulent. The complainant did not suffer a loss as a result of Le's conduct.
4. Le understands and feels remorse for her actions and agrees to comply with all insurance laws in the future.

License Application

5. On June 12, 2019, Le applied for a life, accident, and health qualification for her general lines agent license with the department.
6. The department proposed to deny Le's application on August 14, 2019, based upon the complaint filed against Le.
7. Le appealed that decision and made a timely written request for a hearing, but her application is being resolved through this consent order.

Conclusions of Law

The commissioner makes the following conclusions of law:

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE § § 82.001-82.056, 84.021-84.022, 4005.101-4005.105, 4051.051, 4054.051, and 4054.301, and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has the authority to dispose of this case informally pursuant to the provisions of TEX. GOV'T CODE § 2001.056, TEX. INS. CODE § 82.055, and 28 TEX. ADMIN. CODE § 1.47.

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3. Le has knowingly and voluntarily waived all procedural rights to which she 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. Le committed acts for which a license holder may be disciplined under TEX. INS. CODE § 4005.101(b)(5), as contemplated by TEX. INS. CODE § 4005.102.

Order

It is ordered that Trucmai T. Le pay an administrative penalty of \$2,500 within 60 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" and transmitted to the Texas Department of Insurance, Attn: Enforcement, Division 60851, P.O. Box 12030 AO-9999, Austin, Texas 78711-2030.

It is further ordered that a life, accident, and health qualification is granted to Trucmai T. Le. It is further ordered that Trucmai T. Le's life agent license and general lines agent license with a property and casualty qualification and a life, accident, and health qualification are suspended for two years, probated. The suspension is probated pursuant to the terms and conditions stated in this order.

If, during the probation period imposed by this order, the department issues any additional licenses or authorizations to Le, 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.

Within 20 days from the date of this order, Le must provide a copy of this order to any existing employer, appointing company, agency, or sponsor. Le must provide the department with a copy of the notification within 30 days of the date of this order by emailing it to EnforcementReports@tdi.texas.gov.

Beginning from the date of this order and continuing through the probation period, Le must file a written report, on or before the 15th day of each month on a quarterly basis for the months of June, September, December, and March with the Texas Department of Insurance by emailing it to EnforcementReports@tdi.texas.gov. The reports must include the following information:

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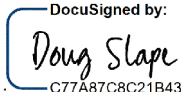
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- a. Le's current mailing address and telephone number;
- b. the name, mailing address, and telephone number of Le's employer, and if Le is self-employed, a statement that she is self-employed and the name, mailing address, and telephone number of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

Le must notify the department immediately of the following by emailing EnforcementReports@tdi.texas.gov:

- 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 Le concerning her performance as an agent, as well as a written explanation detailing the steps taken to resolve it.

Commissioner of Insurance

By:  C77A87C8C21B435...

Doug Slape
Chief Deputy Commissioner
TEX. GOV'T CODE § 601.002
Commissioner's Order No. 2018-5528

Recommended and reviewed by:



Leah Gillum, Deputy Commissioner

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/s/ Patrick Quigley
Patrick Quigley, Staff Attorney
Enforcement Division

AFFIDAVIT

STATE OF TEXAS §
§
COUNTY OF HARRIS §

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

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

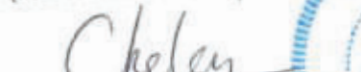
I am waiving rights provided by the Texas Insurance Code and other applicable law and acknowledge the jurisdiction of the commissioner.

I am voluntarily entering into this consent order. I consent to the issuance and service of this consent order."


Affiant

SWORN TO AND SUBSCRIBED before me on May 27, 2021.

(NOTARY STAMP)


Signature of Notary Public

