

No. **2022-7231**

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

Date: 02/17/2022

Subject Considered:

Angelica Tutter
27522 Decker Prairie Rosehl Rd.
Magnolia, Texas 77355-7905

Consent Order
TDI Enforcement File No. 25012

General remarks and official action taken:

This is a consent order with Angelica Tutter (Tutter). TDI alleges that Tutter engaged in dishonest conduct and practices as related to policyholder documents, signatures, and policy information. This order suspends Tutter's license and assesses a \$500 penalty. The suspension is probated for one year.

Waiver

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

Findings of Fact

1. Tutter, individual identification number 1956820, holds a general lines license with a property and casualty qualification and a life, accident, health, and HMO qualification issued by the department on October 8, 2018.

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2. Tutter was an employee of Benjamin Paul Thibodeaux (Thibodeaux) at his State Farm agency from September 5, 2018, to May 10, 2019.
3. Thibodeaux's license was revoked on February 4, 2022, under Commissioner's Order No. 2022-7209.
4. At the direction of Thibodeaux, Tutter forged customers' and service providers' signatures on evidence of insurance, used templates on the agency server to create evidence of prior insurance, and manipulated information using Xactware to lower the cost of the customer's premium.
5. In May of 2019, Tutter called the State Farm ethics hotline and reported the misconduct going on in the Thibodeaux agency in conjunction with leaving the agency.
6. Tutter was fully cooperative with State Farm and the Department during the investigation of Thibodeaux, his employees, and his agency.

Conclusions of Law

1. The commissioner has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 84.021–84.044, 4001.002, 4005.101, 4005.102, 4051.051, 4054.051 and 4101.051, and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has the authority to informally dispose of this matter as set forth in TEX. GOV'T CODE § 2001.056, TEX. INS. CODE §§ 36.104 and 82.055, and 28 TEX. ADMIN. CODE § 1.47.
3. Tutter 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. Tutter has engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5).

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Order

It is ordered that Angelica Tutter pay an administrative penalty of \$500 within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which the department will send after entry of this order.

It is further ordered that Angelica Tutter's general lines license with property and casualty qualification and life, accident, health, and HMO qualification is suspended for one year. 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 Tutter, 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, Tutter must file a written report, on or before the 15th day of each month on a quarterly basis for the months of March, June, September, and December with the Texas Department of Insurance by emailing it to EnforcementReports@tdi.texas.gov. The reports must include the following information:

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

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

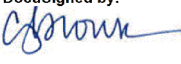
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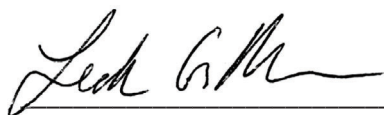
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- a. any charges or indictments filed against her for a misdemeanor or felony during the period she is required to file reports, excluding traffic offenses and Class C misdemeanors;
- b. any state or regulatory actions taken against her including formal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

DocuSigned by:

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Cassie Brown
Commissioner of Insurance

Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Enforcement Division



Sydney Moore, Staff Attorney
Enforcement Division

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Affidavit

STATE OF Texas §
§
COUNTY OF Harris §

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

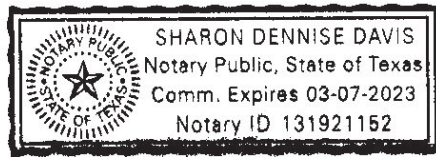
"My name is Angelica Tutter. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

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."

Angelica Tutter
Affiant

SWORN TO AND SUBSCRIBED before me on February 14, 2022.

(NOTARY SEAL)



Sharon Dennise Davis
Signature of Notary Public

Sharon Dennise Davis
Printed Name of Notary Public