

No. **2022-7383**

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

Date: 07/14/2022

Subject Considered:

Steven Chambless
527 Blackberry Dr.
Austin, Texas 78745

Default Order
SOAH Docket No. 454-22-01046
TDI Enforcement File No. 26824

General remarks and official action taken:

The subject of this default order is whether a general lines agent license with a property and casualty qualification should be issued to Steven Chambless (Respondent). Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance. This order denies Respondent's license application.

The following findings of fact and conclusions of law are adopted:

Findings of Fact

Failure to Respond to Notice of Hearing

1. On June 15, 2022, the department filed a Notice of Hearing, attached as Exhibit A, and 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.
3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, 527 Blackberry Dr.,

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Commissioner's Order

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Austin, Texas 78745. The Notice of Hearing and Original Petition were also sent to the electronic mail address associated with Respondent: schambless701@gmail.com.

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 under Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, and 4051.051; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has authority to dispose of this case informally under 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 under 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 under 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 under 28 TEX. ADMIN. CODE § 1.89.

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Commissioner's Order

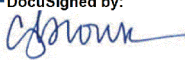
Steven Chambless

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Order

It is ordered that Steven Chambless' application is denied. A copy of this order will be provided to law enforcement or other appropriate administrative agencies for further investigation as may be warranted.

DocuSigned by:

FC5D7EDDFB4F8...

Cassie Brown
Commissioner of Insurance

Prepared and reviewed by:

/s/ Patrick Quigley
Patrick Quigley, Staff Attorney
Enforcement

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Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §


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

"My name is David Moreno 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 Steven Chambless. I have confirmed that:

- a. The last mailing address provided to the department in writing by Steven Chambless is 527 Blackberry Dr., Austin, Texas 78745.
- b. The file maintained by Enforcement contains a Notice of Hearing and Original Petition dated June 15, 2022, which were filed with the State Office of Administrative Hearings.
- c. On June 15, 2022, the Notice of Hearing and Original Petition addressed to Steven Chambless were mailed certified, return receipt requested, to his last known address and sent by electronic mail.

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

DocuSigned by:

0BA874F9A8024D5... _____
Affiant

2022-7383

Commissioner's Order

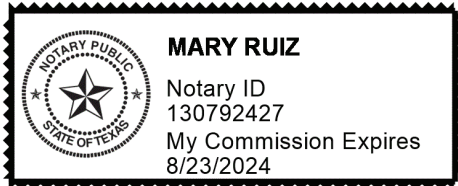
Steven Chambless

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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 7/7/2022. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:
Mary Ruiz
795DC4D59167489...

Notary Public State of Texas

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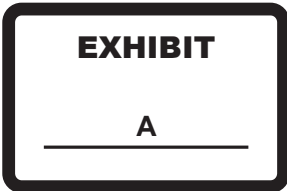
FILED
454-22-01046
6/15/2022 12:26 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Jessie Harbin, CLERK

ACCEPTED
454-22-01046
6/15/2022 6:25 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Jessie Harbin, CLERK

**SOAH DOCKET NO. 454-22-01046
TDI ENFORCEMENT FILE NO. 26824**

TEXAS DEPARTMENT OF INSURANCE,

Petitioner



v.

STEVEN CHAMBLESS,

Respondent

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

NOTICE OF HEARING

The Texas Department of Insurance seeks to deny your license application. 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 **Thursday, August 18, 2022, at 9:00 a.m.** The hearing will take place via videoconference using a videoconference platform controlled by the State Office of Administrative Hearings, unless otherwise ordered to proceed in another manner by the Administrative Law Judge.

The hearing shall be conducted under 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 UNDER 1 TEX. ADMIN. CODE § 155.501 AND 28 TEX. ADMIN. CODE §§ 1.88 AND 1.89.

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Steven Chambless

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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 DENIAL OF YOUR LICENSE APPLICATION, 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 DENIAL OF YOUR LICENSE APPLICATION, 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) *(by mail, fax, or electronically)*
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)
www.soah.texas.gov;
- (2) *(by mail, fax, or email)*
Chief Clerk
Texas Department of Insurance
P.O. Box 12030, MC GC-CCO
Austin, Texas 78711-2030
(512) 490-1064 (Fax)
chiefclerk@tdi.texas.gov; and
- (3) *(by mail, fax, or email)*
Patrick Quigley, Staff Attorney
Texas Department of Insurance
Enforcement, MC ENF

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Notice of Hearing

Steven Chambless

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P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
Patrick.quigley@tdi.texas.gov

Receiving Documents Electronically and Filing Documents with SOAH

The State Office of Administrative Hearings (SOAH) offers you the ability to electronically receive orders and other documents issued by SOAH by email instead of by mail. If you want to receive SOAH-issued documents by email, follow the instructions on SOAH's website: www.soah.texas.gov.

A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents or exhibits with SOAH. Instructions on how to file documents and exhibits are on SOAH's website. SOAH's website also includes guidance for representing yourself.

Important Security Notice (for In-Person Hearings ONLY)

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.

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Notice of Hearing

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If you have any questions, please contact me at the address or telephone number shown below.

Respectfully Submitted,

/s/ Patrick Quigley

Patrick Quigley

State Bar No. 16430320

Texas Department of Insurance

Enforcement, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6335 (Direct)

(512) 490-1020 (Fax)

Patrick.quigley@tdi.texas.gov

ATTORNEY FOR THE PETITIONER

TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

cc: Leah Gillum, Deputy Commissioner, Fraud and Enforcement Division, MC ENF
Ginger Loeffler, Litigation Director, Enforcement, MC ENF
Administrative Review, MC CO-AAL

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Notice of Hearing

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CERTIFICATE OF SERVICE

I, Patrick Quigley, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by email and by certified mail, return receipt requested, on June 15, 2022 to:

Steven Chambless
527 Blackberry Dr
Austin, TX 78745

Via CM/RRR No.:

9214 8901 9403 8379 6932 94

Via email: schambless701@gmail.com

/s/ Patrick Quigley

Patrick Quigley

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SOAH DOCKET No. 454-22-01046

FILED
454-22-01046
6/1/2022 4:14 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

SOAH DOCKET NO. 454-_____
TDI ENFORCEMENT FILE NO. 26824

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

EXHIBIT

v.

B

OF

ACCEPTED
454-22-01046
6/6/2022 8:13:52 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

STEVEN CHAMBLESS,

ADMINISTRATIVE HEARINGS

Respondent

ORIGINAL PETITION

The Texas Department of Insurance seeks to deny Steven Chambless' (Chambless) license application. 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, 84.021-82.044, 4001.002, 4005.101, 4005.102, and 4051.051; 28 TEX. ADMIN. CODE § 1.502; TEX. OCC. CODE §§ 53.021 – 53.023; and TEX. GOV'T CODE §§ 2001.051-2001.178.

Factual Allegations

License Application

1. On September 3, 2020, Chambless applied for a general lines agent license with a property and casualty qualification to the department. Chambless failed to disclose his second-degree felony offenses of sexual assault of a child in his application.
2. The department proposed to deny Chambless' application on December 11, 2020, based on his criminal history. Chambless appealed that decision and made a timely written request for a hearing.

Criminal History

3. On August 9, 2001, Chambless pled guilty to the offense of sexual assault of a child, a second-degree felony, and on November 15, 2001, he was sentenced to ten years deferred community supervision, in the 26th District Court of Williamson County, Texas in cause number 01-711-K26.
4. August 9, 2001, Chambless pled guilty in two cases to the offense of sexual assault of a child, a second-degree felony, and on September 13, 2001, he was sentenced to five years confinement in the Texas Department of Corrections Institutional Division, in the 26th District Court of Williamson County, Texas in cause numbers 01-712-K26 and 01-713-K26 with the sentences to run concurrently.
5. On January 29, 2002, Chambless pled guilty to sexual assault of a child, a second-degree felony in cause number 3012307, the 299th District Court of Travis County, Texas sentenced Chambless to five years confinement in the Institutional Division of the Texas Department of Criminal Justice.
6. Chambless completed the prison sentences in 2006 and the community supervision in 2011. Chambless is required to register as a sexual offender.

Legal Allegations

1. Chambless license application may be denied because he was convicted of three felony offenses, TEX. INS. CODE § 4005.101(b)(8).
2. Chambless license application may be denied because he intentionally made a material misstatement in the license application by failing to disclose his convictions for the felony offenses, TEX. INS. CODE § 4005.101(b)(2).
3. In accordance with the requirements of Texas Occupations Code § 53.025, the department has developed guidelines relating to the matters which the department will consider in determining whether to grant, deny, suspend, or revoke any license or authorization under its jurisdiction.
4. Chambless committed four offenses with the essential elements of a felony assault, as described by Penal Code Chapter 22, and contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(4)(B).

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Steven Chambless
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5. Pursuant to TEX. OCC. CODE § 53.021(d)(1)(A) and TEX. CRIM. PROC. CODE § 62.001(5)(A), the department considers Chambless to be convicted of sexual assault of a child as charged in cause number 01-711-K26.
6. In addition, the department may deny the application of Chambless because these four-felony sexual assault of a child pursuant to TEX. OCC. CODE § 53.021(a)(3) and TEX. CRIM. PROC. CODE § 62.001(6).
7. Department guidelines, 28 TEX. ADMIN. CODE § 1.502(c)-(e), emphasize that TDI:
 - a. Considers it very important that applicants be honest, trustworthy, and reliable;
 - b. May refuse to issue an original license if the department determines that the applicant has committed an offense that directly relates to the duties and responsibilities of the licensed occupation; and
 - c. Considers the felony sexual assault of a child to be of such a serious nature that it is of prime importance in determining fitness for licensure.

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. Denying respondent's license application and
2. Any other just and appropriate relief to which the department may be entitled to by law.

Respectfully Submitted,

/s/ Patrick Quigley

Patrick Quigley, Staff Attorney
State Bar No. 16430320
Texas Department of Insurance
Enforcement, MC110-1A
P.O. Box 149104
Austin, Texas 78714-9104

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Original Petition

Steven Chambless

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(512) 676-6335 (Direct)

(512) 490-1020 (Fax)

Patrick.quigley@tdi.texas.gov

ATTORNEY FOR THE PETITIONER

TEXAS DEPARTMENT OF INSURANCE

2022-7383



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: 06/15/2022

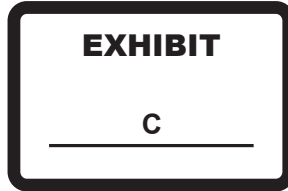
Shipped From:

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	1
Total	1

*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 0037 4052 42



Firm Mailing Book For Accountable Mail

2022-7383

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

Affix Stamp Here
(for additional copies of this receipt).
Postmark with Date of Receipt.

Table with columns: USPS Tracking/Article Number, 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, S Fee. Includes address: STEVEN CHAMBLESS, 527 BLACKBERRY DR, AUSTIN, TX 78745.

Total Number of Pieces Listed by Sender: 1
Total Number of Pieces Received at Post Office

Postmaster, Per (Name of receiving employee)