

No. 2023-7751

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

**Date:** 01/24/2023

**Subject Considered:**

Benjamin Roth Robertson  
[REDACTED]  
Fort Worth, Texas 76179-3827

Default Order  
SOAH Docket No. 454-23-07807  
TDI Enforcement File No. 26606

**General remarks and official action taken:**

This is a default order taken against Benjamin Roth Robertson (Respondent) because Respondent engaged in fraudulent or dishonest acts or practices and Respondent did not notify the department of the administrative actions taken against him. 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 December 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.

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Commissioner's Order

Benjamin Roth Robertson

SOAH Docket No. 454-23-07807

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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, [REDACTED], Fort Worth, Texas 76179-3827.
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, 84.021-84.044, 4001.002, 4001.252, 4005.101, 4005.102, and 4054.051, 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  
Benjamin Roth Robertson  
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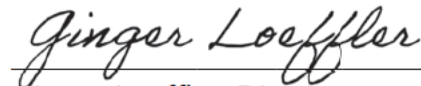
## Order

It is ordered that any licenses held by Benjamin Roth Robertson are revoked. A copy of this order will be provided to law enforcement other appropriate administrative agencies for further investigation as may be warranted.

DocuSigned by:  
  
FC5D7EDDFFB4F8...

Cassie Brown  
Commissioner of Insurance

Prepared and reviewed by:



Ginger Loeffler, Director  
Enforcement

# 2023-7751

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Benjamin Roth Robertson  
SOAH Docket No. 454-23-07807  
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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 Benjamin Roth Robertson. I have confirmed that:

- a. The last mailing address provided to the department in writing by Benjamin Roth Robertson is [REDACTED] Fort Worth, Texas 76179-3827.
- b. The file maintained by Enforcement contains a Notice of Hearing and Original Petition dated December 15, 2022, which were filed with the State Office of Administrative Hearings.
- c. On December 15, 2022, the Notice of Hearing and Original Petition addressed to Benjamin Roth Robertson were mailed certified, return receipt requested, to his last known address.

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

DocuSigned by:

*David Moreno*

1152B96A4C7C470...

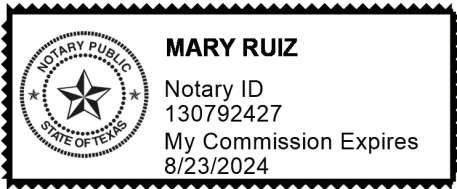
Affiant

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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 1/12/2023. This notarial act was an online notarization.

## Notary Seal



## Digital Certificate

DocuSigned by:  
*Mary Ruiz*  
795DC4D59167489...  
Notary Public State of Texas

**2023-7751**

FILED  
454-23-07807  
12/15/2022 8:35 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Carol Hale, CLERK

**SOAH DOCKET NO. 454-23-07807  
TDI ENFORCEMENT FILE NO. 26606**

**TEXAS DEPARTMENT OF INSURANCE,**

**Petitioner**

**v.**

**BENJAMIN ROTH ROBERTSON,**

**Respondent**

**BEFORE THE STATE OFFICE**

ACCEPTED  
454-23-07807  
12/15/2022 8:38:35 am  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Carol Hale, CLERK

**OF**

**ADMINISTRATIVE HEARINGS**

**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, May 2, 2023, 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](http://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.**

Exhibit A

# 2023-7751

Notice of Hearing

Benjamin Roth Robertson

SOAH Docket No. 454-23-07807

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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, IMPOSITION OF ADMINISTRATIVE PENALTIES, 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, IMPOSITION OF ADMINISTRATIVE PENALTIES, 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) *(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](http://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](mailto:chiefclerk@tdi.texas.gov); and
- (3) *(by mail, fax, or email)*  
Cassie Tigue, Staff Attorney

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Benjamin Roth Robertson

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Texas Department of Insurance  
Enforcement, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 490-1020 (Fax)  
Cassie.Tigue@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](http://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  
Benjamin Roth Robertson  
SOAH Docket No. 454-23-07807  
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If you have any questions, please contact me at the address or telephone number shown below.

Respectfully Submitted,



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Cassie Tighe  
State Bar No. 24099994  
Texas Department of Insurance  
Enforcement, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 676-6356 (Direct)  
(512) 490-1020 (Fax)  
Cassie.Tighe@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

Benjamin Roth Robertson

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**CERTIFICATE OF SERVICE**

I, Cassie Tigue, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by certified mail, return receipt requested and via eFile, on this 15th day of December, 2022 to:

Benjamin Roth Robertson

[REDACTED]

Fort Worth, Texas 76179-3827

Email: [REDACTED]

*Respondent Pro Se*

*Via CM/RRR No.:*

9214 8901 9403 8398 6837 19



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Cassie Tigue

**2023-7751**

454-23-07807

ACCEPTED  
454-23-07807  
12/13/2022 12:11:28 pm  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Pegah Nasrollahzadeh, CLERK

FILED  
454-23-07807  
12/13/2022 12:08 PM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Pegah Nasrollahzadeh, CLERK

**SOAH DOCKET NO. 454-22-\_\_\_\_\_**  
**TDI ENFORCEMENT FILE NO. 26606**

**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

**v.**

**OF**

**BENJAMIN ROTH ROBERTSON,**

**ADMINISTRATIVE HEARINGS**

**Respondent**

**ORIGINAL PETITION**

The Texas Department of Insurance seeks to take disciplinary action against Benjamin Roth Robertson. 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 under TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, 4001.002, 4001.252, 4005.101, 4005.102, and 4054.051, and TEX. GOV'T CODE §§ 2001.051-2001.178.

**Factual Allegations**

Licensure and Background

1. Benjamin Roth Robertson (Robertson), individual identification number 577382, holds a general lines agent license with a life, accident, and health qualification originally issued by the Texas Department of Insurance on April 21, 2004.
2. Robertson was appointed as an agent with UnitedHealthcare Insurance Company (UnitedHealthcare) from September 2017, through October 2020.
3. Robertson was appointed as an agent with the Chesapeake Life Insurance Company (Chesapeake) from March 2017 through February 2021.

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## Misconduct

4. UnitedHealthcare received a consumer complaint alleging Robertson forged her signature on an application for insurance and submitted it without her knowledge or consent.
5. UnitedHealthcare subsequently investigated Robertson's sales and marketing practices. Based on its investigation, UnitedHealthcare believes Robertson violated company policy and the Centers for Medicare and Medicaid Services regulations and guidelines while marketing and selling federal insurance products.
6. On October 7, 2020, UnitedHealthcare cancelled Robertson's appointments.
7. After UnitedHealthcare's Disciplinary Action Committee, Chesapeake learned Robertson's appointment with UnitedHealthcare was terminated for cause due to an allegation of forgery. Chesapeake then conducted its own investigation into Robertson's conduct.
8. Chesapeake's investigation revealed Robertson wrote 42 applications for insurance between February 2020 and September 2020. Robertson used 11 different Text Now phone numbers as the applicant's mobile phone number. Text Now is a free application available through Apple, Google Play, and its website [REDACTED]. The applications also contained an email address that did not belong to the applicants. Robertson wrote seven applications with an applicant's email address containing the name "pool.jessica." Most of the applications were signed electronically in Fort Worth, Texas, where Robertson resides even though most of the applicants resided in a different state.
9. In response to the companies and the department, Robertson claims a former assistant, Jessica Poole, is to blame for the alleged misconduct. Robertson largely denied having any knowledge of what Text Now is and claimed he only used phone numbers obtained from the applicants.
10. On February 16, 2021, Chesapeake cancelled Robertson's appointment.

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Original Petition

Benjamin Roth Robertson

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## Other State Administrative Actions

11. On November 10, 2020, the South Carolina Department of Insurance issued a consent order against Robertson which ordered him to pay a \$500 monetary penalty and placed his license on probation for a one-year period. Robertson did not notify the department of the administrative action.
12. On January 8, 2021, the North Carolina Department of Insurance entered into a settlement with Robertson after a complaint investigation which ordered him to pay a \$500 monetary penalty. Robertson did not notify the department of the administrative action.
13. On July 1, 2021, the Illinois Department of Insurance issued Robertson a license with a probated suspension and ordered Robertson to pay a \$500 monetary penalty. Robertson did not notify the department of the administrative action.
14. On July 8, 2021, the Utah Insurance Department accepted a voluntary surrender from Robertson after a complaint investigation. Robertson did not notify the department of the administrative action.
15. On July 30, 2021, the Nebraska Department of insurance revoked Robertson's license because he submitted applications for insurance policies with fraudulent or incorrect information included. The misconduct at issue in Nebraska is similar to the alleged misconduct at issue in the current case with the department. Robertson did not notify the department of the administrative action.
16. On February 8, 2022, the Wisconsin Office of the Commissioner of Insurance denied Robertson's application for licensure due to his failure to disclose administrative actions taken in any state on the license application. Robertson did not notify the department of the administrative action.
17. On July 15, 2022, the North Carolina Department of Insurance entered into a settlement with Robertson after a complaint investigation which ordered him to pay a \$250 monetary penalty. Robertson did not notify the department of the administrative action.

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Original Petition  
Benjamin Roth Robertson  
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18. On August 30, 2022, the Florida Office of Insurance Regulation revoked Robertson's license after he failed to respond. Robertson did not notify the department of the administrative action.

## Legal Allegations

1. Robertson committed acts for which a license holder may be disciplined under TEX. INS. CODE § 4005.101, as contemplated by TEX. INS. CODE § 4005.102.
2. Robertson willfully violated an insurance law of this state, as contemplated by TEX. INS. CODE § 4005.101(b)(1).
3. Robertson engaged in fraudulent or dishonest acts or practices, in violation of TEX. INS. CODE § 4005.101(b)(5).
4. Robertson did not notify the department of the administrative actions taken against him, in violation of TEX. INS. CODE § 4001.252.

## 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 Benjamin Roth Robertson's general lines agent license; and
2. imposing 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,



Cassie Tigie  
State Bar No. 24099994  
Texas Department of Insurance  
Enforcement, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030

**2023-7751**

Original Petition

Benjamin Roth Robertson

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(512) 676-6356 (Direct)

(512) 490-1020 (Fax)

Cassie.Tigue@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

**2023-7751**

**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Cassie Tigie  
Bar No. 24099994  
Enforcementgeneral@tdi.texas.gov  
Envelope ID: 70961677  
Status as of 12/13/2022 12:14 PM CST

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	12/13/2022 12:08:08 PM	SENT

Associated Case Party: Texas Department of Insurance

Name	BarNumber	Email	TimestampSubmitted	Status
Cassie Tigie		Cassie.Tigie@tdi.texas.gov	12/13/2022 12:08:08 PM	SENT
Ginger Loeffler		Ginger.Loeffler@tdi.texas.gov	12/13/2022 12:08:08 PM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	12/13/2022 12:08:08 PM	SENT

Associated Case Party: Benjamin Roth Robertson

Name	BarNumber	Email	TimestampSubmitted	Status
Benjamin Roth Robertson		[REDACTED]	12/13/2022 12:08:08 PM	SENT



**2023-7751**

**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Cassie Tigie  
Bar No. 24099994  
Enforcementgeneral@tdi.texas.gov  
Envelope ID: 71035027  
Status as of 12/15/2022 8:39 AM CST

Associated Case Party: Texas Department of Insurance

Name	BarNumber	Email	TimestampSubmitted	Status
Ginger Loeffler		Ginger.Loeffler@tdi.texas.gov	12/15/2022 8:35:48 AM	SENT
Cassie Tigie		Cassie.Tigie@tdi.texas.gov	12/15/2022 8:35:48 AM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	12/15/2022 8:35:48 AM	SENT
Leah Gillum		Leah.Gillum@tdi.texas.gov	12/15/2022 8:35:48 AM	SENT
Catarina Tapia		Catarina.Tapia@tdi.texas.gov	12/15/2022 8:35:48 AM	SENT

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	12/15/2022 8:35:48 AM	SENT

Associated Case Party: Benjamin Roth Robertson

Name	BarNumber	Email	TimestampSubmitted	Status
Benjamin Roth Robertson		[REDACTED]	12/15/2022 8:35:48 AM	SENT



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: 12/15/2022  
 Shipped From:  
 Name: MC ENF M RUIZ  
 Address: 1601 CONGRESS AVENUE SUITE 6 900  
 City: AUSTIN  
 State: TX ZIP+4® 78711

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 0041 1719 04



Name and Address of Sender

MC ENF M RUIZ
TEXAS DEPARTMENT OF INSURANCE
1601 CONGRESS AVENUE, SUITE 6.900
AUSTIN TX 78711

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.

2023-7751

Table with columns: USPS Tracking/Article Number, Postage, (Extra Service) Fee, Handling Charge, Actual Value, Insured Value, Due Sender if COD, ASR Fee, ASRD Fee, RD Fee, RR Fee, SC Fee, SCRD Fee, SV Fee. Includes recipient info for BENJAMIN ROTH ROBERTSON.

Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee)