

No. 3860

**OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE**

Date: MAR 12 2015

Subject Considered:

ANTONIO GAONA
19728 Saums RD
Houston, TX 77084-4737

DEFAULT ORDER
SOAH DOCKET NO. 454-15-1726.C
TDI ENFORCEMENT FILE NO. 6877

General remarks and official action taken:

The commissioner of insurance considers whether disciplinary action should be taken against Antonio Gaona.

Findings of Fact

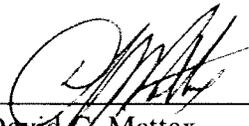
1. According to department records, Antonio Gaona, individual identification no. 820470, obtained a general lines property and casualty license in December 2008 and a property and casualty adjuster license in January 2009.
2. The last known mailing address Antonio Gaona filed with the department was 19728 Saums RD, Houston, TX 77084-4734.
3. On January 22, 2015, the department sent a notice of hearing to Antonio Gaona's last known mailing address. The department sent the notice of hearing to two additional addresses.
4. Antonio Gaona failed to file a written response to the notice of hearing within 20 days.
5. Antonio Gaona was involved in a car accident September 15, 2013. The owner of the vehicle did not have auto insurance coverage. Antonio Gaona reported the accident to his personal auto carrier, Mercury County Mutual Insurance Company, in January 2014. His claim included a request for cash reimbursement for medical treatment received as a result of the accident.

6. During Mercury's investigation of the claim, it discovered the facilities Antonio Gaona identified as medical treatment providers did not have any records related to him. Additionally, both facilities noted that the billing formats Antonio Gaona submitted for reimbursement did not match their standard billing formats.
7. Mercury also learned additional facts that caused it to question the validity of the claim. Antonio Gaona subsequently withdrew the claim for reimbursement.

Conclusions of Law

1. The commissioner has jurisdiction pursuant to TEX. INS. CODE §§ 82.051, 82.052, 4005.101, 4005.102; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89 give the commissioner authority to informally dispose of this case.
3. Based on 28 TEX. ADMIN. CODE § 19.906, Antonio Gaona's last known address is presumed to be 19728 Saums RD, Houston, TX 77084-4734.
4. TDI sent a notice of hearing to Antonio Gaona's last known address as required by 28 TEX. ADMIN. CODE §§ 1.28(c) and 1.88(c); 1 TEX. ADMIN. CODE § 155.401; and TEX. GOV'T CODE Ch. 2001.
5. The allegations in the notice of hearing, set out as findings of fact nos. 5 - 7, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.
6. Antonio Gaona engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. Code § 4005.101(b)(5).

The commissioner revokes Antonio Gaona's general lines property and casualty license and property and casualty adjuster license.



David C. Mattax
Commissioner of Insurance

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See Privacy Act Statement on Reverse

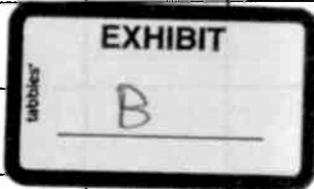
The full declaration is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$500 per piece subject to additional limitations for multiple pieces lost or damaged in a single catastrophic occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500, but optional Express Mail Service merchandise insurance is available for up to \$5,000 to some, but not all countries. The maximum indemnity payable is \$25,000 for registered mail sent with optional postal insurance. See *Domestic Mail Manual* R900, S913, and S921 for limitations of coverage on insured and COD mail. See *International Mail Manual* for limitations of coverage in international mail. Special handling charges apply only to Standard Mail and Parcel Services parcels.

Texas Dept of Insurance
 Mail Code 110
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 January 22, 2015
 Judy Lopez

Check type of mail or service
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 Signature Confirmation

Attn: Stamp Here
 (If issued as a
 certificate of
 mailing,
 or for additional
 copies of this bill)
 Postmark and
 Date of Receipt

| Western | 7009 1680 0001 5373 3180 | Antonio Gaona 19728 Saums Rd. #179 Houston, Texas 77084 | Postage | Fee | Handling Charge | Actual Value if Registered | Insured Value | Due Sender if COD | DC Fee | SC Fee | SH Fee | RD Fee | RR Fee |
|---------|--------------------------|---|---------|------|--------------------|-------------------------------|------------------|----------------------|-----------|-----------|-----------|-----------|-----------|
| Western | 7009 1680 0001 5373 3197 | Antonio Gaona 222 Mason Creek 1027 Katy, TX 77450 | .48 | 3.30 | | | | | | | | | 2.70 |
| Western | 7009 1680 0001 5373 3203 | Antonio Gaona 2339 Beacon Brook Lane Katy, TX 77449-4999 | .48 | | | | | | | | | | |
| Roces | 7012 3460 0000 1930 6929 | Zurich American Insurance Company Attn: Jeff Nagel, CPCU 1400 American Lane Tower 1 Floor 18 Schaumburg, IL 60196-5452 | 1.19 | | | | | | | | | | |
| Roces | 7012 3460 0000 1930 6912 | Commerce Property Insurance Services Attn: Aden Randles, President 2630 Lacy Street Los Angeles, CA 90031 | 1.19 | | | | | | | | | | |
| Roces | 7012 3460 0000 1930 6905 | Commerce Property Insurance Services C/O John J. Moura Gilbert, Kelly, Crowley & Jennett LLP 1055 West Seventh Street, Suite 2000 Los Angeles, CA 90017-2577 | 1.19 | | | | | | | | | | |



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