

No. **3863**

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

Date: MAR 16 2015

Subject Considered:

Debora Parks Pickens
7504 Sevilla Drive
Austin, Texas 78752

CONSENT ORDER
SOAH Docket No. 454-15-2366.C
TDI Enforcement File No. 8790

General remarks and official action taken:

The commissioner of insurance considers whether disciplinary action should be taken against Debora Parks Pickens

WAIVER

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

FINDINGS OF FACT

1. Debora Parks Pickens is an attorney licensed by the State Bar of Texas and previously held an escrow officer license issued by TDI, which was canceled in 2010.
2. At one time, Tilana Toney-Strickland was employed by Ms. Pickens and held an escrow officer license issued by TDI, which was canceled in 2010.
3. In July 2012, Ms. Toney-Strickland placed an order for title insurance with a title insurance agent licensed in Texas. The title agent issued a title insurance commitment and delivered it to Ms. Toney-Strickland. Ms. Toney-Strickland passed the commitment to a lender, who eventually agreed to make a loan to the property owner.

4. On September 13, 2012, Ms. Toney-Strickland informed the title agent by email that she was moving the file to an attorney's office and no longer required the title agent's services.
5. On September 19, 2012, Ms. Toney-Strickland signed a settlement statement that she drafted, which was approved by the lender and borrower. The settlement statement showed that Debora Parks Pickens & Assoc. was the settlement agent. All of the original documents executed in connection with this transaction were delivered to Ms. Toney-Strickland, who was residing in California at the time.
6. The settlement statement drafted by Ms. Toney-Strickland also showed that title insurance would be provided by a title agent other than the title agent who issued the commitment. Neither Mrs. Pickens nor Ms. Toney-Strickland had any agreement with the title agent named on the settlement statement concerning issuance of a title policy for this transaction.
7. On September 24, 2012, the lender wired the loan proceeds to an account owned by Debora Parks Pickens & Assoc. Mrs. Pickens was the only authorized signor for this account.
8. On September 25, 2012, Mrs. Pickens wired most of the loan proceeds to the borrower. Ms. Toney-Strickland did not record the deed of trust until December 2012.
9. Mrs. Pickens did not disburse any of the loan proceeds, or any other money, to a title insurance agent. No title insurance policy was issued to the lender.

CONCLUSIONS OF LAW

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 101.101 – 101.153, 541.101 – 541.111, 2501.005, and 2652.001; TEX. BUS. & COM. CODE § 17.46; and TEX. GOV'T CODE §§ 2001.051 – 2001.202.
2. The commissioner has the authority to dispose of this case informally pursuant to TEX. GOV'T CODE § 2001.056; and 28 TEX. ADMIN. CODE § 1.47.
3. Debora Parks Pickens engaged in the unauthorized business of insurance, under TEX. INS. CODE §§ 101.051, 101.102, 2501.005, and 2652.001–2652.003.
4. Debora Parks Pickens engaged in an unfair or deceptive act or practice in the business of insurance, under TEX. INS. CODE §§ 541.003, 541.052, and 541.107; and TEX. BUS. & COM. CODE § 17.46(2), (3), and (24).

3863

COMMISSIONER'S ORDER
Debora Parks Pickens
Page 3 of 4

ORDER

The commissioner orders Debora Parks Pickens to cease and desist from engaging in the unauthorized business of insurance. The commissioner orders Debora Parks Pickens to cease and desist from engaging in unfair methods of competition and deceptive acts or practices in the business of insurance.



David C. Mattax
Commissioner of Insurance

APPROVED AS TO FORM AND CONTENT:



Casey Seeboth, Staff Attorney
Texas Department of Insurance

