

No. **4070**

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

Date: JUL 30 2015

Subject Considered:

KEITH WILLIAMS
P.O. Box 10014
Houston, Texas 77226

DEFAULT ORDER

SOAH DOCKET NO. 454-15-4051.C
ENFORCEMENT FILE NO. 8180

General remarks and official action taken:

The commissioner of insurance considers whether disciplinary action should be taken against Keith Williams.

FINDINGS OF FACT

1. Keith Williams, individual identification no. 1088025, holds a county mutual license, issued November 9, 2011, and a general lines license with the following qualifications: life, accident, and health, issued November 14, 2011, and property and casualty, issued February 13, 2014. TDI records show the last mailing address Williams provided in writing to the department is P.O. Box 10014, Houston, Texas 77226.
2. On June 9, 2015, TDI sent a notice of hearing to Williams' last known mailing address.
3. Williams failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.
4. The Reliable Life Insurance Company canceled Williams' appointments with Reliable and its affiliated companies September 26, 2013.
5. Reliable determined that Williams collected premiums from Reliable policyholders in the sum of \$4,340.63 for the purchase of life insurance, but did not remit any of those payments to Reliable.
6. On June 14, 2013, Williams forged Vera Bolton's signature on a request for a premium loan and took out an unauthorized loan of \$135.90 against Vera Bolton's life insurance policy. Williams failed to forward any of the \$135.90 in loan money to Reliable and misappropriated and converted the \$135.90 to his own use.

7. In June of 2013, Williams collected \$67.55 from Edward Barker, \$97.68 from Janet Nickerson, and \$5.47 from D. Collins for the purchase of life insurance coverage to be issued by Reliable. Williams failed to forward any of the collected premiums to Reliable and misappropriated and converted the \$170.70 in collected premiums to his own use.
8. Between September 2012, and October 2014, Williams collected premiums from approximately 37 more customers for the purchase of life insurance issued by Reliable. Williams failed to forward any of the collected premiums to Reliable. Williams misappropriated and converted the collected insurance premiums to his own use.
9. Williams also is not compliant with the department's continuing education requirements. For his general lines license, he failed to complete 28 hours of general continuing education requirements, including two hours of ethics, for the period of November 13, 2011, to November 13, 2013. For his county mutual license, he failed to complete eight hours of general continuing education requirements, including two hours of ethics, for the period of November 9, 2011, to November 9, 2013.

CONCLUSIONS OF LAW

1. The commissioner has jurisdiction over this matter according to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.022, 4001.002, 4005.101, 4005.102, and 4054.051; 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 dispose of this case informally.
3. According to 28 TEX. ADMIN. CODE § 19.906, Williams' last known address is presumed to be P.O. Box 10014, Houston, Texas 77226.
4. TDI mailed a notice of hearing to Williams' last known mailing 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 Chapter 2001.
5. TDI's allegations in the notice of hearing, as set out in finding of fact nos. 5-9, are deemed admitted according to 28 TEX. ADMIN. CODE § 1.89.
6. Williams willfully violated an insurance law of the state of Texas according to TEX. INS. CODE § 4005.101(b)(1).
7. Williams misappropriated, converted to his own use, and illegally withheld money belonging to an insurer, as contemplated in TEX. INS. CODE § 4005.101(b)(4)(A).

8. Williams engaged in fraudulent and dishonest acts or practices as prohibited by TEX. INS. CODE § 4005.101(b)(5).
9. Williams failed to complete his continuing education requirements as mandated by TEX. INS. CODE §§ 4004.051 and 4004.053.

The commissioner of insurance revokes Keith Williams' county mutual license and general lines license with life, accident, and health and property and casualty qualifications. The commission orders Keith Williams to pay \$4,340.63 in restitution to Reliable for Insurance Code violations and an additional \$1,400 administrative penalty for failing to complete his continuing education requirements, both to be paid within 30 days from the date of this order. The restitution and administrative penalty must be paid by cashier's check or money order made payable to the "State of Texas." Mail the administrative penalty to the Texas Department of Insurance, Attn: Enforcement Section, Division 40111, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.



David C. Mattax
Commissioner of Insurance

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

Affidavit

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

“My name is Judy Lopez 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.

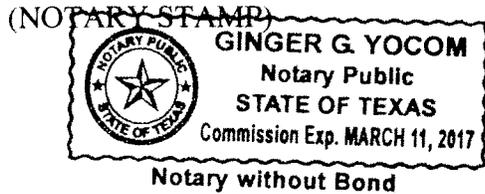
I have reviewed TDI's records concerning Keith Williams and I have confirmed that:

- (1) The last mailing address provided to the department by Keith Williams in writing was P.O. Box 10014, Houston, Texas 77226.
- (2) The file maintained by the Enforcement Section of the Compliance Division contains a notice of hearing dated June 9, 2015, filed with the State Office of Administrative Hearing.
- (3) A certified letter, return receipt requested, and a first class mailing, both containing a notice of hearing addressed to Keith Williams' last known address, were deposited in the United States mails.

Copies of the certified and first class mail logs are attached as exhibits A and B.”

Judy Lopez
Affiant

SWORN TO AND SUBSCRIBED before me on July 29, 2015.



Ginger G. Yocom
Notary Public, State of Texas

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