

No. **4609**

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

Date: AUG 01 2016

Subject Considered:

LINDA ROSIE MANSOLO
509 North 35th Street
Waco, Texas 76710-5422

DEFAULT ORDER
SOAH DOCKET NO. 454-16-4991.C
TDI ENFORCEMENT FILE NO. 10585

General remarks and official action taken:

The commissioner of insurance considers disciplinary action against Linda Rosie Mansolo.

Findings of Fact

1. Linda Mansolo, individual identification no. 1944454, has held a county mutual agent license since September 23, 2014.
2. On July 8, 2016, the department sent a notice of hearing to Mansolo's last known address provided in writing to the department, 704 Camp Drive, Waco, Texas 76710¹, and one additional address, 509 North 35th Street, Waco, Texas 76710-5422.²
3. Mansolo failed to file a written response to the notice of hearing within 20 days of the date the notice was mailed.
4. Mansolo was employed by A-MAX Auto Insurance Agency (A-MAX), an independent partner agent of GAINSCO Auto Insurance/MGA Insurance Company, Inc. (GAINSCO), a property and casualty insurance holding company.
5. According to GAINSCO records, T.M. was the sole auto policy holder for policy no. xxx1970, effective October 23, 2015, through April 23, 2016.
6. According to A-MAX records, Mansolo added a 2008 Chevy Silverado, a 2015 Chevy Silverado, her significant other, and his mother to T.M.'s policy without his knowledge or permission, which became effective on October 23, 2015.

¹ The NOH was mailed to the last known **residential** address provided in writing, to the department, by Mansolo.

² This is the last known address of Mansolo as evidenced by her signed green card receipt.

7. Mansolo filed a claim on November 8, 2015, and another one on November 10, 2015, against policy no. xxx1970 for each of the Silverados she added to T.M.'s policy.
8. According to GAINSCO and A-MAX records, T.M. contacted them on December 28, 2015, and requested that the Silverados and additional drivers be removed from his policy, stating that he had no knowledge of the vehicles and persons.
9. On February 10, 2016, GAINSCO formally denied the November 8, 2015, and November 10, 2015, claims.
10. According to A-MAX records, Mansolo failed to remit \$70 in agency fees, which she collected on November 5, 2015.
11. On November 9, 2015, Mansolo was terminated from A-MAX due to her failure to remit agency fees.
12. According to TDI records, the last mailing address Mansolo provided is 3030 North Stemmons Freeway, Suite B, Dallas, Texas 75247, which is the business address for A-MAX.

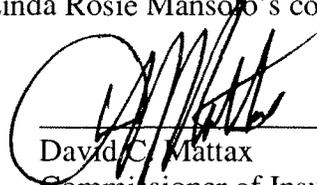
Conclusions of Law

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, and 4051.201, and TEX. GOV'T CODE §§ 2001.051- 2001.178.
2. The commissioner has the authority to dispose of this case informally pursuant to TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89.
3. Based on 28 TEX. ADMIN. CODE § 19.906, Mansolo's last known address is presumed to be 704 Camp Drive, Waco, Texas 76710.
4. TDI mailed a notice of hearing to Mansolo'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, and one additional address, 509 North 35th Street, Waco, Texas 76710-5422.³
5. The allegations in the notice of hearing, set out herein as findings of fact nos. 4 - 12, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.

³ This is the last known address of Mansolo as evidenced by her signed green card receipt.

6. The commissioner may revoke Mansolo's license because she has:
- a. committed an act for which a license may be revoked under TEX. INS. CODE § 4005.101(b), as contemplated in TEX. INS. CODE ANN. § 4005.102;
 - b. engaged in fraudulent or dishonest acts or practices pursuant to TEX. INS. CODE § 4005.101(b)(5);
 - c. misappropriated, converted to her own use, or illegally withheld money belonging to an insured, insurer, or beneficiary under TEX. INS. CODE § 4005.101(b)(4); and
 - d. failed to notify immediately the Texas Department of Insurance regarding changes to her contact information as required under TEX. INS. CODE § 4001.252(a)(2), as contemplated in 28 TEX. ADMIN. CODE § 19.906.

The commissioner of insurance revokes Linda Rosie Mansolo's county mutual agent license.



David C. Mattax
Commissioner of Insurance

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4609

Name and Address of Sender
 Texas Dept of Insurance
 Mail Code 110-1A
 333 Guadalupe St
 Austin TX 78701
 Mary Ruiz
 July 8 ,2016

Check type of mail or service

Adult Signature Required Priority Mail Express
 Adult Signature Restricted Delivery Registered Mail
 Certified Mail Return Receipt for Merchandise
 Certified Mail Restricted Signature Confirmation
 Collect on Delivery (COD) Signature Confirmation Restricted Delivery
 Insured Mail
 Priority Mail

Affix Stamp Here
 (if issued as an international certificate of mailing or for additional copies of this receipt). Postmark with Date of Receipt

USPS Tracking/Article Number	Address (Name, Street, City, State, & Zip Code)	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	SH Fee
Alexander/ 10585 7014 1820 0000 4515 2479	Linda Roise Mansolo 509 North 35th Street Waco, Texas 76710-5422	4/65	3.30								2.70			
Alexander/ 10585 7012 0470 0000 3545 6062	Linda Rosie Mansolo 704 Camp Dr. Waco, TX 76710	4/65	3.30								2.70			
				Handling Charge if Registered and over \$50,000 in value										
								Adult Signature Required						
								Adult Signature Restricted Delivery						
								Restricted Delivery						
								Return Receipt						
								Signature Confirmation						
								Signature Confirmation Restricted Delivery						
								Special Handling						
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster: Per (Name of receiving employee)												

