

No. 2016-4809

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

Date: NOV 22 2016

Subject Considered:

MELISSA TAVE TAYLOR
2402 N Vernon Ave
Tyler, Texas 75702

DEFAULT ORDER
SOAH DOCKET NO. 454-17-0340.C
TDI ENFORCEMENT FILE NO. 10708

General remarks and official action taken:

The commissioner of insurance considers whether disciplinary action should be taken against Melissa Taylor.

FINDINGS OF FACT

The commissioner makes the following findings of fact:

1. Melissa Taylor, individual identification number 1339440, holds a general lines agent license with a life, accident and health qualification issued by the Texas Department of Insurance on August 24, 2014.
2. Department records show the last mailing address Taylor provided in writing is 2402 N Vernon Ave, Tyler, Texas 75702.
3. On October 10, 2016, TDI sent a notice of hearing to Taylor's last known address. Further, the Department sent a notice of hearing by electronic mail and to an additional address at 400 West Cochran St, Tyler, Texas 75702.
4. Taylor failed to file a written response to the notice of hearing within twenty (20) days of the date the notice of hearing was mailed.
5. Taylor entered into a contract with American National Insurance Company to solicit applications for insurance and represent insureds in active accounts as assigned. The contract required her to forward premiums received to American National.

6. Taylor failed to forward \$1,211.05 that she collected from policy holders as payment for premiums to American National.
7. TDI made written requests for information regarding issues related to this matter on January 4, 2016, January 28, 2016, and September 14, 2016. Taylor failed to respond by the 15th day after receiving these requests or to send a written request for more time to respond.

CONCLUSIONS OF LAW

The commissioner makes the following conclusions of law:

1. The Commissioner has jurisdiction pursuant to TEX. INS. CODE §§ 82.051-82.056, 4001.002, 4005.101-4005.102, 4054.051; 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, Taylor's last known address is presumed to be 2402 N Vernon Ave, Tyler, Texas 75702.
4. The notice of hearing was sent to Taylor'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 herein as findings of fact nos. 1 and 5-7, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.
6. Taylor has committed an act for which a license may be revoked under TEX. INS. CODE § 4005.101.
7. Taylor misappropriated, converted to her own use, or illegally withheld money belonging to an insurer, in violation of TEX. INS. CODE § 4005.101(b)(4).
8. Taylor has engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5).

The commissioner of insurance orders that Melissa Tave Taylor's general lines agent license with a life, accident and health qualification is revoked.



David C. Mattax
Commissioner of Insurance

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

AFFIDAVIT

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

“My name is Ginger Yocom 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.

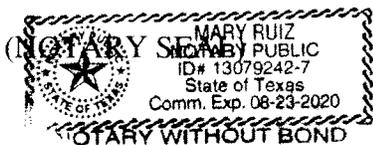
I have reviewed TDI’s records concerning Melissa Tave Taylor. I have confirmed that:

- a. The last mailing address provided to the department by Taylor in writing was 2402 N Vernon Ave, Tyler, Texas 75702.
- b. The file maintained by the Enforcement Section of the Compliance Division contains a notice of hearing dated October 10, 2016, filed with the State Office of Administrative Hearings.
- c. Certified letters, return receipts requested, and first class mailings, each containing a notice of hearing, were sent to Taylor’s last known address and an additional address at 400 West Cochran St, Tyler, Texas 75702.

Copies of the first class and certified mail logs maintained by the Enforcement Section are attached as Exhibit A and Exhibit B.”

Ginger Yocom
Affiant

SWORN TO AND SUBSCRIBED before me on November 16, 2016.



Mary Ruiz
Signature of Notary Public

Mary Ruiz
Printed Name of Notary Public

