

2017- 5165

No. _____

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

Date: JUL 3 1 2017

Subject Considered:

ALICIA ZAMORA MAESE
P.O. Box 2562
San Elizario, Texas 79849

DEFAULT ORDER
SOAH DOCKET NO. 454-17-3948.C
TDI ENFORCEMENT FILE NO. 12302

General remarks and official action taken:

This order is in consideration of whether disciplinary action should be taken against Alicia Zamora Maese.

FINDINGS OF FACT

1. Alicia Zamora Maese has held a funeral prearrangement life license issued by the Texas Department of Insurance since June 2, 2000.
2. Maese's address of record with the department is P.O. Box 2562, San Elizario, Texas 79849. On May 4, 2017, the department sent a notice of hearing to Maese through her attorney, Fernando Chacon, at 109 N. Oregon, #1119, El Paso, Texas 79901.
3. Maese failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.
4. On June 2, 2016, the commissioner of insurance issued Official Order No. 4481, a consent order, finding that Maese misappropriated, converted to her own use or illegally withheld money belonging to an insurer.
5. The order required Maese to pay restitution in the amount of \$2,222.17 to Homesteaders Life Company within four months from the date of the order, no later than November 30, 2016.
6. Maese failed to pay the required restitution by the deadline imposed by the order.

7. Following repeated attempts by the department to collect the required restitution, on February 10, 2017, Maese notified the department of her intent to begin making payments on February 17, 2017.
8. Pursuant to Maese's informal agreement with the department, on February 15, 2017, the department notified Maese in writing that:
 - a. A payment of \$1,111.09 is due by February 17, 2017;
 - b. A subsequent payment of \$1,111.08 is due by February 28, 2017; and
 - c. Failure to make those payments would result in the department's taking administrative action to revoke her insurance license.
9. As of July 17, 2017, Maese has paid \$1,300.00 of the ordered restitution, leaving a remaining balance of \$922.17. She has failed to pay the remainder of the restitution due.

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 4054.152 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. TDI sent a notice of hearing to Maese, through her attorney, at 109 N. Oregon, #1119, El Paso, Texas 79901, as required by 28 TEX. ADMIN. CODE §§ 1.28(d) and 1.88(c), 1 TEX. ADMIN. CODE § 155.401, and TEX. GOV'T CODE Ch. 2001.
4. The allegations in the notice of hearing, set out herein as findings of fact nos. 1 and 4-9, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.

It is ordered that Alicia Zamora Maese's funeral prearrangement life license is revoked.



Kevin Brady
Deputy Commissioner for Agency Affairs
Texas Department of Insurance
Delegation Order 4506

Name and Address of Sender
 Texas Dept of Insurance
 Mail Code 110-1A
 337 Guadalupe St
 Austin TX 78701
 May 4 2017
 Judy Lopez

110-1A

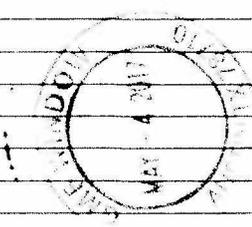
Check type of mail or service
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 Adult Signature Restricted Delivery
 Certified Mail
 Certified Mail Restricted
 Collect on Delivery (COD)
 Insured Mail
 Priority Mail
 Priority Mail Express
 Registered Mail
 Return Receipt for Merchandise
 Signature Confirmation
 Signature Confirmation Restricted
 Signature Confirmation Restricted Delivery

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Seldon McKay

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7016 2070 0000 2658 1241	Fernando Chacon Attorney and Counselor at Law 109 N. Oregon, #1119 El Paso, Texas 79901	1.67		3.35										
<p>Handling Charge: Registered and over \$50,000 in value</p> <p>Adult Signature Required</p> <p>Adult Signature Restricted Delivery</p> <p>Restricted Delivery</p> <p>Return Receipt</p> <p>Signature Confirmation</p> <p>Signature Confirmation Restricted Delivery</p>														

Ecase #12302 - Notice of Hearing



2017-5165

