

No. 2018-5332

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

Date: JAN 03 2018

**Subject Considered:**

PIONEER SPECIAL RISK INSURANCE SERVICES, INC.  
80 Broad St., Ste. 1203  
New York, NY 10004-2800

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 14854

**General remarks and official action taken:**

The commissioner of insurance considers whether disciplinary action should be taken against Pioneer Special Risk Insurance Services, Inc. for failure to timely file new or renewal surplus lines insurance policies with the Surplus Lines Stamping Office of Texas.

**WAIVER**

Pioneer Special Risk Insurance Services, Inc. acknowledges that the Texas Insurance Code and other applicable law provide certain rights. Pioneer Special Risk Insurance Services, Inc. waives all of these rights, and any other applicable procedural rights, in consideration of the entry of this consent order.

**FINDINGS OF FACT**

1. Pioneer Special Risk Insurance Services, Inc., organization identification number 30050, holds a surplus lines license issued by the Texas Department of Insurance.
2. Pursuant to TEX. INS. CODE § 981.105(a), a surplus lines insurance agent must file with the Surplus Lines Stamping Office of Texas either:
  - a. a copy of the policy issued, or
  - b. if the policy has not yet been issued, a copy of the certificate, cover note, or other confirmation of insurance delivered to the insured.

This information is due not later than the 60<sup>th</sup> day after the later of the effective date or the issue date of new or renewal surplus lines insurance.

3. In 2016, Pioneer Special Risk Insurance Services, Inc. filed surplus lines policies late.

4. In March 2017, TDI assessed fees against Pioneer Special Risk Insurance Services, Inc. because the late-filed surplus lines policies met at least one of the conditions in TEX. INS. CODE § 981.105(d-e).
5. The commissioner previously disciplined Pioneer Special Risk Insurance Services, Inc. for violating TEX. INS. CODE § 981.105(a) in Official Order No. 4533, entered on June 27, 2016.

**CONCLUSIONS OF LAW**

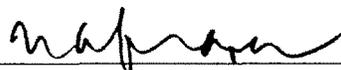
1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, and 981.105.
2. The commissioner of insurance has authority to informally dispose of this matter under TEX. INS. CODE § 82.055, TEX. GOV'T CODE § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.
3. Pioneer Special Risk Insurance Services, Inc. has knowingly and voluntarily waived all procedural rights to which it may have been entitled regarding the entry of this order, including, but not limited to, issuance and service of notice of intention to institute disciplinary action, notice of hearing, a public hearing, a proposal for decision, rehearing by the commissioner, and judicial review.
4. Pioneer Special Risk Insurance Services, Inc. violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

The commissioner orders Pioneer Special Risk Insurance Services, Inc. to pay an administrative penalty of \$2,900. The administrative penalty must be paid within 30 days from the date of this order. The 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 60851, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.



Kent C. Sullivan  
Commissioner of Insurance

For the Department:

  
Whitney Fraser, Staff Attorney

COMMISSIONER'S ORDER  
PIONEER SPECIAL RISK INSURANCE SERVICES, INC.  
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Affidavit

THE STATE OF New York §

COUNTY OF New York §

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

"My name is Stephen S. Healy. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

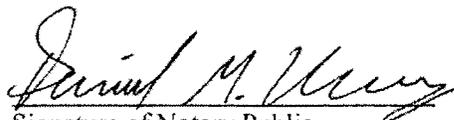
I hold the office of COO and am the authorized representative of Pioneer Special Risk Insurance Services, Inc. I am duly authorized by the organization to execute this statement.

Pioneer Special Risk Insurance Services, Inc. has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas."

  
\_\_\_\_\_  
Affiant

SWORN TO AND SUBSCRIBED before me on November 30, 2017.

**DANIEL M. CLEARY**  
**NOTARY PUBLIC-STATE OF NEW YORK**  
**No. 02CL6331296**  
**Qualified in New York County**  
**(My Commission Expires) October 05, 2019**

  
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Signature of Notary Public