No. 2018- 5514

OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE

Date: MAY 2 4 2018

Subject Considered:

JORDAN TYRONE BOLIN BRANCH
2231 Live Oak Street, Apt. 2499
Commerce, Texas 75428

DEFAULT ORDER
SOAH DOCKET NO. 454-18-1220.C
TDI ENFORCEMENT FILE NO. 11737

General remarks and official action taken:

The subject of this order is whether disciplinary action should be taken against Jordan Tyrone Bolin Branch (Bolin Branch). A copy of this order will be provided to law enforcement and/or other appropriate administrative agencies for further investigation as may be warranted.

FINDINGS OF FACT

Licensure

1. Bolin Branch, individual identification no. 1413028, holds a general lines agent license with a life, accident, and health qualification originally issued by the Texas Department of Insurance on December 3, 2014.

Agent Misconduct

2. American Family Life Assurance Company of Columbus (AFLAC) appointed Bolin Branch as an insurance agent.

3. From approximately January 1, 2016, through March 11, 2016, Bolin Branch created and submitted fictitious AFLAC payroll policies. Bolin Branch submitted five fraudulent group policy applications and 222 fraudulent individual policy applications for groups and individuals who either did not exist or did not purchase these AFLAC policies.

4. Bolin Branch received $38,666.00 in unearned commissions for these fictitious policies.

5. The department sent Bolin Branch a written request for information pursuant to TEX. INS. CODE § 38.001 on October 3, 2017. Bolin Branch did not respond to the department's request.

Failure to Respond to Notice of Hearing

6. On December 5, 2017, the department sent a notice of hearing to Bolin Branch's last known address provided in writing to the department, 2231 Live Oak Street, Apt. 2499, Commerce, Texas 75428.

7. Bolin Branch failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.

CONCLUSIONS OF LAW

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 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. Based on 28 TEX. ADMIN. CODE § 19.906, Bolin Branch's last known address is presumed to be 2231 Live Oak Street, Apt. 2499, Commerce, Texas 75428.

4. The department sent a notice of hearing to Bolin Branch'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 department's allegations in the notice of hearing, set out herein as findings of fact nos. 1-5, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.

6. Bolin Branch has committed acts for which a license holder may be disciplined under TEX. INS. CODE § 4005.101, as contemplated by TEX. INS. CODE § 4005.102.

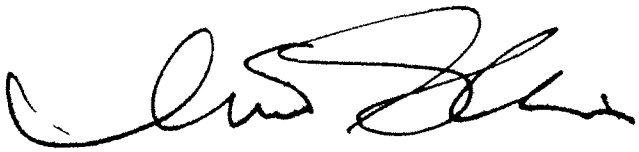
7. Bolin Branch has willfully violated an insurance law of this state, pursuant to TEX. INS. CODE § 4005.101(b)(1).

8. Bolin Branch misappropriated, converted to his own use, or illegally withheld money belonging to an insurer, insured, or beneficiary, in violation of TEX. INS. CODE § 4005.101(b)(4).

9. Bolin Branch engaged in fraudulent or dishonest acts or practices, in violation of TEX. INS. CODE § 4005.101(b)(5).

10. Bolin Branch failed to timely respond to a request for information sent pursuant to TEX. INS. CODE § 38.001.

It is ordered that Jordan Tyrone Bolin Branch's general lines agent license with a life, accident, and health qualification is revoked.



Kent C. Sullivan
Commissioner of Insurance

Affidavit

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

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

"My name is Mary Ruiz 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 the department's records concerning Jordan Tyrone Bolin Branch. I have confirmed that:

a. The last mailing address provided to the department by Jordan Tyrone Bolin Branch in writing is 2231 Live Oak Street, Apt. 2499, Commerce, Texas 75428.

b. The file maintained by the Enforcement Section contains a notice of hearing dated December 5, 2017, 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 Bolin Branch's last known address.

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

Affiant

SWORN TO AND SUBSCRIBED before me on 24 January 2018

(NOTARY STAMP)

MICHAEL W. JACKSON
Notary Public
STATE OF TEXAS
Commission Exp. JULY 19, 2018
Notary Without Bond

Signature of Notary Public
12121235-1

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EXHIBIT A

tabbies

Firm Mailing Book For Accountable Mail

Name and Address of Sender
Texas Dept of Insurance
Mail Code 110-1A
333 Guadalupe St
Austin TX 78701
Mary Ruiz
December 5, 2017

Check type of mail or service
- ☐ Adult Signature Required
- ☐ 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 Delivery

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	Sender COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
MAZZA/11737		JORDAN TYRONE BOLIN BRANCH													
		2231 LIVE OAK STREET, APT 2499	✓												
		COMMERCE, TEXAS 75428	46												
	NOH														

AUSTIN, TX 78710
DEC - 5 2017
GMF STATION

neopost
12/05/2017
US POSTAGE $001.35⁰
ZIP 78701
041L12203074

OFFICIAL BUSINESS
STATE OF TEXAS
PENALTY FOR PRIVATE USE

Handling Charge if ... 00 in value

Adult Signature Required
Adult Signature Restricted Delivery
Restricted Delivery
Return Receipt
Signature Confirmation
Signature Confirmation Restricted Delivery
Special Handling

2018-5514

RECEIVED
DEC 06 2017
TDI - ENFORCE

Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of receiving employee

PS Form **3877**, June 2015 **Completed in Ink** **Privacy Note: For more information on USPS privacy policies, visit usps.com/privacy policy.**

UNITED STATES POSTAL SERVICE®

Firm Mailing Book For Accountable Mail

Name and Address of Sender

MC 110-1A M RUIZ
Texas Department of Insurance
333 Guadalipe St
Austin Tx 78701

Check type of mail or service

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

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

EXHIBIT B

	USPS Tracking/Article Number	Addressee (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
1.	9214 8901 9403 8300 0003 1376 10 MAZZA/ 11737 NOH	JORDAN TYRONE BOLIN BRANCH 2231 LIVE OAK STREET APT 2499 COMMERCE TX 75428	0.67	3.35								1.45			
					Handling Charge - if Registered and over $50,000 in value										
									Adult Signature Required	Adult Signature Restricted Delivery				Signature Confirmation Restricted Delivery	
											Restricted Delivery	Return Receipt	Signature Confirmation		Special Handling
														Signature Confirmation	
					Handling Charge										

2018- 5514

GMF STATION DEC -5 2017 AUSTIN, TX 78710

Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per *(Name of receiving employee)*
1		