

No. 2019- 5988

**Official Order
of the
Texas Commissioner of Insurance**

Date: JUN 20 2019

Subject Considered:

Nomad Adjusting, LLC
11625 Custer Rd., Ste. 110, No. 303
Frisco, Texas 75035

Consent Order
TDI Enforcement File No. 17006

General remarks and official action taken:

The subject of this order is whether disciplinary action should be taken against Nomad Adjusting, LLC (Nomad).

Waiver

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

Findings of Fact

Background

1. In September of 2011, the Texas Legislature amended TEX. INS. CODE § 4101.001(a)(5) to define a "person" to mean "an individual or business entity," thus which required adjusting companies to obtain a license pursuant TEX. INS. CODE § 4101.051.

Licensure

2. Nomad held an adjuster all lines license originally issued by the department on August 10, 2015. On August 10, 2017, this license became inactive due to Nomad's failure to renew.
3. On March 23, 2018, Nomad applied for an adjuster all lines license, which was issued by the department on March 26, 2018.

Unlicensed Activity

4. During an investigation into a complaint, the department discovered that Nomad had been operating without a license in violation of the law since its license had expired.
5. Nomad operated without a license in the State of Texas for approximately seven months.
6. TDI did not receive any reports of consumer harm while Nomad operated without a license in the State of Texas.

Conclusions of Law

1. The commissioner of insurance has jurisdiction over this matter pursuant to: TEX. INS. CODE §§ 82.001-82.056, 82.051-82.055, 101.051, 101.102, 4005.101, 4005.102, 4101.051 and 4101.053; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner of insurance has authority to dispose of this case informally pursuant to TEX. INS. CODE §§ 36.104 and 82.055; TEX. GOV'T CODE § 2001.056; and 28 TEX. ADMIN. CODE § 1.47.
3. Nomad 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. Nomad willfully violated an insurance law of this state, in violation of TEX. INS. CODE § 4005.101(b)(1), as contemplated by TEX. INS. CODE § 4005.102.

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5. Nomad violated TEX. INS. CODE § 4101.053 by operating as an adjusting firm without a license.

Order

It is ordered that Nomad Claims Service, Inc. pay an administrative penalty of \$1,000 within 30 days from the date of this order. The penalty must be paid by cashier's check or money order made payable to the "State of Texas" and sent 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

By: _____


Doug Slape
Chief Deputy Commissioner
Commissioner's Order No. 2018-5528

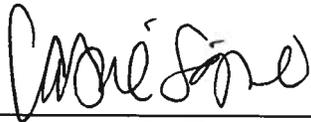
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Recommended and reviewed by:



Leah Gillum, Associate Commissioner
Enforcement Section



Cassie Tigue, Staff Attorney
Enforcement Section

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Affidavit

THE STATE OF Texas

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COUNTY OF Collin

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

"My name is Clayton Campbell 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 President and am the authorized representative of Nomad Claims Service, Inc. I am duly authorized by the organization to execute this statement.

Nomad Claims Service, 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 May 8th, 2019.

(NOTARY STAMP)


Signature of Notary Public

