

NO. **3958**

**OFFICIAL ORDER
OF THE
TEXAS COMMISSIONER OF INSURANCE**

DATE: MAY 12 2015

Subject Considered:

**BRIAN FLEURIDOR
5300 Broken Sound Blvd NW, Suite 200
Boca Raton, Florida 33487**

**DEFAULT ORDER
SOAH DOCKET NO. 454-15-2769.C
ENFORCEMENT FILE NO. 8510**

General remarks and official action taken:

The commissioner of insurance considers whether disciplinary action should be taken against Brian Fleuridor.

FINDINGS OF FACT

1. Brian Fleuridor, individual identification no. 1270437, holds a general lines life, accident, and health license issued by TDI on October 28, 2013.
2. TDI records show the last mailing address Brian Fleuridor provided in writing is 5300 Broken Sound Blvd NW, Suite 200, Boca Raton, Florida 33487.
3. On April 3, 2015, TDI sent a notice of hearing to Brian Fleuridor's last known mailing address.
4. Brian Fleuridor failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.
5. On June 25, 2014, Brian Fleuridor pleaded guilty to the federal felony offense of conspiracy to commit mail and wire fraud and the offense of mail fraud.
6. On September 26, 2014, in Case Number 13-80240-CR-MARRA-5, in the United States District Court, Southern District of Florida, West Palm Beach Division, Brian Fleuridor was convicted of both the offense of conspiracy to commit mail and wire fraud and the offense of mail fraud.
7. On September 26, 2014, Brian Fleuridor was originally sentenced to imprisonment in the United States Bureau of Prisons for a period of 27 months.

8. On December 19, 2014, Brian Fleuridor's prison sentence was reduced to a period of 16 months. Brian Fleuridor was additionally ordered to pay restitution in the amount of \$142,600.
9. Brian Fleuridor is currently incarcerated within the Miami Federal Correctional Institution.

CONCLUSIONS OF LAW

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051 – 82.055, 4005.101, 4005.102, and 4054.051; TEX. OCC. CODE §§ 53.021–53.023; 28 TEX. ADMIN. CODE § 1.502; 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, Brian Fleuridor's last known address is presumed to be 5300 Broken Sound Blvd NW, Suite 200, Boca Raton, Florida 33487.
4. TDI mailed a notice of hearing to Brian Fleuridor's last known mailing address on file with TDI, 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. TDI's allegations in the notice of hearing, as set out in finding of fact nos. 5–9, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.
6. Brian Fleuridor was convicted of a felony, as contemplated by TEX. INS. CODE § 4005.101(b)(8); TEX. OCC. CODE §§ 53.021 – 53.023; and 28 TEX. ADMIN. CODE § 1.502.
7. Brian Fleuridor's license was revoked by operation of law upon his incarceration for a felony conviction, as contemplated by TEX. OCC. CODE § 53.021(b).
8. Brian Fleuridor does not have consent from the commissioner to engage in the business of insurance in Texas following a felony conviction, as required by 18 U.S.C.A § 1033.
9. Brian Fleuridor engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5).



The commissioner orders that Brian Fleuridor's general lines life, accident, and health license is revoked by operation of law effective as of the date of his incarceration.

David C. Mattax
Commissioner of Insurance

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

Affidavit

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

“My name is Judy Lopez 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 Brian Fleuridor and I have confirmed that:

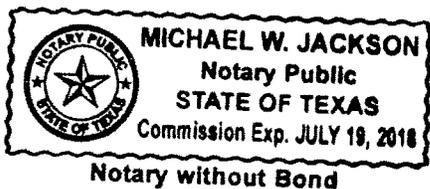
- (1) The last mailing address provided to the department by Brian Fleuridor in writing was 5300 Broken Sound Blvd NW, Suite 200, Boca Raton, Florida 33487.
- (2) The file maintained by the Enforcement Section of the Compliance Division contains a notice of hearing dated April 3, 2015, filed with the State Office of Administrative Hearings.
- (3) A certified letter, return receipt requested, and a first class mailing, both containing a notice of hearing addressed to Brian Fleuridor’s last known address, were deposited in the United States mails.

Copies of the certified and first class mail logs are attached as exhibits A and B.”

Judy Lopez
Affiant

SWORN TO AND SUBSCRIBED before me on April 29, 2015.

(NOTARY STAMP)



M. Jackson
Notary Public, State of Texas

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