

No. 4502

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

**Date:** JUN 09 2016

**Subject Considered:**

FROST INSURANCE AGENCY, INC.  
100 W HOUSTON ST T10  
SAN ANTONIO, TX 78205

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 10794

**General remarks and official action taken:**

The commissioner of insurance considers disciplinary action against Frost Insurance Agency, Inc. for failure to timely file new or renewal surplus lines insurance policies with the Surplus Lines Stamping Office of Texas.

**Findings of Fact**

1. Frost Insurance Agency, Inc., organization identification number 9072, 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.

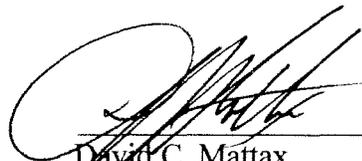
3. In 2014, Frost Insurance Agency, Inc. filed surplus lines policies late.
4. The commissioner previously disciplined Frost Insurance Agency, Inc. for violating TEX. INS. CODE § 981.105(a) in Official Order No. 10-0964, entered on November 5, 2010.
5. Frost Insurance Agency, Inc. represents it implemented internal compliance procedures and other safeguards designed to ensure future surplus lines policies and related documents are timely filed in compliance with TEX. INS. CODE § 981.105(a).

6. Pursuant to TEX. INS. CODE § 82.055(b), Frost Insurance Agency, Inc. agrees to the sanction provided in this order with the express reservation that it does not admit to a violation of the Texas Insurance Code or any TDI rule, and maintains that the existence of a violation is in dispute.

### Conclusions of Law

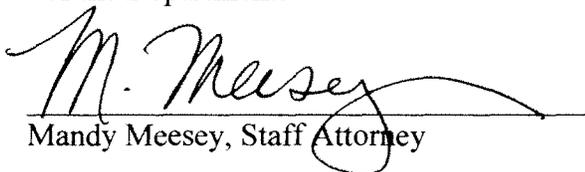
1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE § 981.105.
2. The commissioner of insurance has authority to informally dispose of this matter under TEX. INS. CODE § 82.055, TEX. GOV'T CODE § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.
3. Frost Insurance Agency, 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. Frost Insurance Agency, 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 Frost Insurance Agency, Inc. to pay an administrative penalty of \$11,000. 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 40111, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.



David C. Mattax  
Commissioner of Insurance

For the Department:



Mandy Meesey, Staff Attorney

