OFFICIAL ORDER  
of the  
TEXAS COMMISSIONER OF INSURANCE  

Date:  AUG 01 2016  

Subject Considered:  

LINDA ROSIE MANSOLO  
509 North 35th Street  
Waco, Texas 76710-5422  

DEFAULT ORDER  
SOAH DOCKET NO. 454-16-4991.C  
TDI ENFORCEMENT FILE NO. 10585  

General remarks and official action taken:  

The commissioner of insurance considers disciplinary action against Linda Rosie Mansolo. 

Findings of Fact  

1. Linda Mansolo, individual identification no. 1944454, has held a county mutual agent license since September 23, 2014.  

2. On July 8, 2016, the department sent a notice of hearing to Mansolo’s last known address provided in writing to the department, 704 Camp Drive, Waco, Texas 76710

3. Mansolo failed to file a written response to the notice of hearing within 20 days of the date the notice was mailed.  

4. Mansolo was employed by A-MAX Auto Insurance Agency (A-MAX), an independent partner agent of GAINSCO Auto Insurance/MGA Insurance Company, Inc. (GAINSCO), a property and casualty insurance holding company.  

5. According to GAINSCO records, T.M. was the sole auto policy holder for policy no. xxx1970, effective October 23, 2015, through April 23, 2016.  

6. According to A-MAX records, Mansolo added a 2008 Chevy Silverado, a 2015 Chevy Silverado, her significant other, and his mother to T.M.’s policy without his knowledge or permission, which became effective on October 23, 2015.

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1 The NOH was mailed to the last known residential address provided in writing, to the department, by Mansolo.  
2 This is the last known address of Mansolo as evidenced by her signed green card receipt.
7. Mansolo filed a claim on November 8, 2015, and another one on November 10, 2015, against policy no. xxx1970 for each of the Silverados she added to T.M.'s policy.

8. According to GAINSCO and A-MAX records, T.M. contacted them on December 28, 2015, and requested that the Silverados and additional drivers be removed from his policy, stating that he had no knowledge of the vehicles and persons.


10. According to A-MAX records, Mansolo failed to remit $70 in agency fees, which she collected on November 5, 2015.

11. On November 9, 2015, Mansolo was terminated from A-MAX due to her failure to remit agency fees.

12. According to TDI records, the last mailing address Mansolo provided is 3030 North Stemmons Freeway, Suite B, Dallas, Texas 75247, which is the business address for A-MAX.

**Conclusions of Law**

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, and 4051.201, and TEX. GOV’T CODE §§ 2001.051-2001.178.

2. The commissioner has the authority to dispose of this case informally pursuant to TEX. GOV’T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89.

3. Based on 28 TEX. ADMIN. CODE § 19.906, Mansolo’s last known address is presumed to be 704 Camp Drive, Waco, Texas 76710.

4. TDI mailed a notice of hearing to Mansolo’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, and one additional address, 509 North 35th Street, Waco, Texas 76710-5422.³

5. The allegations in the notice of hearing, set out herein as findings of fact nos. 4 - 12, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.

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³ This is the last known address of Mansolo as evidenced by her signed green card receipt.
6. The commissioner may revoke Mansolo’s license because she has:

   a. committed an act for which a license may be revoked under TEX. INS. CODE § 4005.101(b), as contemplated in TEX. INS. CODE ANN. § 4005.102;

   b. engaged in fraudulent or dishonest acts or practices pursuant to TEX. INS. CODE § 4005.101(b)(5);

   c. misappropriated, converted to her own use, or illegally withheld money belonging to an insured, insurer, or beneficiary under TEX. INS. CODE § 4005.101(b)(4); and

   d. failed to notify immediately the Texas Department of Insurance regarding changes to her contact information as required under TEX. INS. CODE § 4001.252(a)(2), as contemplated in 28 TEX. ADMIN. CODE § 19.906.

The commissioner of insurance revokes Linda Rosie Mansolo’s county mutual agent license.

[Signature]
David C. Mattax
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 TDI’s records concerning Linda Rosie Mansolo. I have confirmed that:

a. The last known address provided to the department, by Linda Rosie Mansolo, in writing was 704 Camp Drive, Waco, Texas 76710.

b. The file maintained by the Enforcement Section of the Compliance Division contains a notice of hearing dated July 8, 2016, filed with the State Office of Administrative Hearings.

c. On July 8, 2016, certified letters, return receipts requested, and first class mailings, each containing a notice of hearing were sent to Linda Rosie Mansolo’s last known residential address, and one additional address at 509 North 35th Street, Waco, Texas 76710-5422.

Copies 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 July 27, 2016

Ginger G. Yocom
Notary Public
STATE OF TEXAS
Commission Exp. MARCH 11, 2017
Notary without Bond
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OFFICIAL BUSINESS
STATE OF TEXAS
PENALTY FOR PRIVATE USE

Handling Charge: $0.00

Authorized Signature: [Signature]

Date: 07/06/2016

PS Form 3877, June 2015

Completed in Ink

Privacy Note: For more information on USPS privacy policies, visit usps.com/privacy policy.
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