

No. 2017 - 4950

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

**Date: FEB 22 2017**

**Subject Considered:**

ANDREW CIRCOSTA  
315 Silent Spring Dr.  
Cedar Park, Texas 78613-4217

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 11709

**General remarks and official action taken:**

The commissioner of insurance considers whether disciplinary action should be taken against Andrew Circosta.

**WAIVER**

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

**FINDINGS OF FACT**

The commissioner makes the following findings of fact:

1. Andrew Circosta, individual identification no. 727724, holds a general lines agent license with a life, accident, and health qualification that the department issued on December 3, 2015.
2. Circosta was previously licensed with the department but that license expired on March 7, 2011, due to failure to renew.
3. Michael Niel Goldberg, individual identification no. 48302, holds a general lines agent license with a property and casualty qualification and a life, accident, and health qualification, originally issued by the department on May 13, 1987. Goldberg began doing business as Goldberg and Associates in 1996.
4. Goldberg hired Circosta on April 20, 2015, as an agent and sales manager at Goldberg and Associates. Circosta was not licensed at that time.

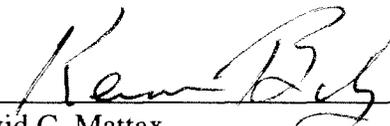
- 5. From April 20, 2015, to December 2, 2015, Circosta engaged in the business of insurance without a license. His activities included quoting, soliciting, and issuing policies.

**CONCLUSIONS OF LAW**

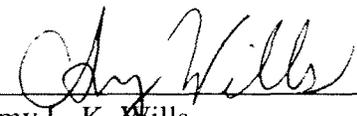
The commissioner of insurance makes the following conclusions of law:

- 1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.001–82.056, 84.021–84.022, 4005.101–4005.103, and 4054.051, and TEX. GOV'T CODE §§ 2001.051–2001.178.
- 2. The commissioner has the authority to dispose of this case informally pursuant to the provisions of TEX. GOV'T CODE § 2001.056; TEX. INS. CODE §§ 36.104 and 82.055; and 28 TEX. ADMIN. CODE § 1.47.
- 3. Circosta engaged in acts constituting the business of insurance without a license, as defined in TEX. INS. CODE §§ 101.051 and 4001.051, in violation of TEX. INS. CODE §§ 101.102, 4001.101, and 4054.051.

The commissioner of insurance orders Andrew Circosta to pay a \$1,000.00 administrative penalty 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  
 By: Kevin Brady  
 Delegation Order 4506

APPROVED AS TO FORM AND CONTENT:

  
 \_\_\_\_\_  
 Amy L. K. Wills  
 Staff Attorney  
 Compliance Division, Enforcement Section

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COMMISSIONER'S ORDER  
Andrew Circosta  
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**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 Andrew Circosta. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

I waive rights provided by the Texas Insurance Code and other applicable law and acknowledge the jurisdiction of the commissioner.

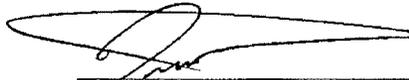
I have knowingly and voluntarily entered into this consent order and agree with and consent to the issuance and service of the same by the commissioner of insurance of the State of Texas."

  
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Affiant

SWORN TO AND SUBSCRIBED before me on 2/13, 2017.

(NOTARY STAMP)



Signature of Notary Public

