OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE

Date: JUN 07 2017

Subject Considered:

BRANDON M. COONEY
6915 S. Trask St.
Tampa, Florida 33616-1840

DEFAULT ORDER
DOCKET NO. 454-17-3947.C
TDI CASE NO. 12360

General remarks and official action taken:

This order is in consideration of whether disciplinary action should be taken against Brandon M. Cooney.

FINDINGS OF FACT

The findings of fact are as follows:

1. Brandon M. Cooney, individual identification number 1707070, holds a non-resident general lines license with property and casualty, and life, accident, and health qualifications that the department issued on September 12, 2011.

2. On May 4, 2017, the department sent a notice of hearing to Cooney’s last known address provided in writing to the department: 6915 S. Trask St., Tampa, Florida 33616-1840.

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

4. Cooney has a non-resident license as he lives in Florida. This license type requires that Cooney have a resident license in good standing in his home state.

5. On May 4, 2016, Cooney pleaded guilty to one count of Driving Under the Influence Fourth or Subsequent (VOP), a felony. Cooney did not notify the department of his conviction.
6. On June 14, 2016, the Florida Department of Financial Services revoked Cooney’s resident insurance agent license.

**CONCLUSIONS OF LAW**

The conclusions of law are as follows:

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, 4051.051, 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 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, Cooney’s last known address is presumed to be 6915 S. Trask St., Tampa, Florida 33616-1840.

4. The department sent a notice of hearing to Cooney’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.

5. The allegations in the notice of hearing, set out herein as findings of fact nos. 1 and 4–6, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.

6. Cooney does not hold a license in good standing as an agent in his state of residence, in violation of TEX. INS. CODE § 4056.052.

7. Cooney has been convicted of a felony, in violation of TEX. INS. CODE § 4005.101(b)(8).

8. Cooney did not notify the department of his felony conviction, in violation of TEX. INS. CODE § 4001.252.

It is ordered that Brandon M. Cooney’s non-resident general lines agent license with property and casualty, and life, accident, and health, qualifications is revoked.

[Signature]

Kevin Brady
Deputy Commissioner For Agency Affairs
Texas Department of Insurance
Delegation Order 4506
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 Brandon M. Cooney. I have confirmed that:

a. The last mailing address provided to the department by Brandon M. Cooney is 6915 S. Trask St., Tampa, Florida 33616-1840.

b. The file maintained by the Enforcement Section contains a notice of hearing dated May 4, 2017, filed with the State Office of Administrative Hearings.

c. On May 4, 2017, certified letters, return receipt requested, and first class mailings, each containing a notice of hearing were sent to Brandon M. Cooney’s last known address at 6915 S. Trask St., Tampa, Florida 33616-1840.

Copies of the certified mail and first class mail logs maintained by the Enforcement Section are attached as Exhibit A and Exhibit B.”

Affiant

Judy Lopez

SWORN TO AND SUBSCRIBED before me on 31 May 2017.

(NOTARY STAMP)
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**Handling Charges:**
- Registered
- Cancelled
- Return Receipt
- Special Handling

**Notify parties:**
- Brandon M. Cooney
- 6915 S Trask St
- Tampa, Florida 33616-1840

**Affix Stamp Here:**
- (If issued as an international certificate of mailing or for additional copies of this receipt). Postmark with Date of Receipt

**USPS Tracking/Article Number**

**Postage:**
- 46

**Service Fee:**
- Handling Charge
- Actual Value
- Insured Value
- Due Sender
- ASR Fee
- ASR Fee
- RR Fee
- SC Fee
- SCRD Fee
- SH Fee

**Firm Mailing Book For Accountable Mail**