

No. 2017- 5119

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

Date: JUN 2 2 2017

**Subject Considered:**

LATONYA MARIE BROWN  
9600 Forest Lane, Apt. 1123  
Dallas, Texas 75243-5836

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 12698

**General remarks and official action taken:**

This order is in consideration of the application for a general lines agent license with a life, accident, and health qualification of LaTonya Marie Brown.

**WAIVER**

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

**FINDINGS OF FACT**

The findings of fact are as follows:

1. On August 30, 2016, Brown applied for a general lines agent license with a life, accident, and health qualification to be issued by the Texas Department of Insurance.
2. On September 22, 2006, Brown was convicted of the offense of theft of property of the value of \$1,500.00 or more, but less than \$20,000.00, a state jail felony, in cause no. F-06-00885-L, in the Criminal District Court No. 5, Dallas County, Texas. Brown was sentenced to two years confinement, suspended for five years, and ordered to pay restitution in the amount of \$9,553.00.
3. Brown has cooperated with TDI in its investigation of her criminal background. Brown provided mitigating evidence to support her fitness for licensure as follows:
  - a. she was fully compliant with all of her probation rules and conditions, she paid all of her fines and restitution in full, and she is no longer being monitored;

- b. she has been continuously employed since 2013, holding roles, including in a fiduciary capacity, as an office manager, bookkeeper, and an administrative assistant;
  - c. she has accepted responsibility and expressed remorse for her criminal conduct; and
  - d. she has submitted letters of recommendation, including letters from business owners, previous employers, and other well-respected members of the community who are aware of her past conduct and consistently refer to her as honest, hardworking, and having a strong work ethic.
4. Due to Brown's criminal background, the department needs an opportunity to monitor her insurance activities to ensure she demonstrates the ability, capability, and fitness required to perform and discharge the responsibilities of an agent.

### CONCLUSIONS OF LAW

The conclusions of law are as follows:

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.102, 4001.105, 4005.101-4005.103, and 4054.051; TEX. GOV'T CODE §§ 2001.051-2001.178; 28 TEX. ADMIN. CODE § 1.502; and TEX. OCC. CODE §§ 53.021-53.023.
2. The commissioner has the authority to dispose of this case informally pursuant to the provisions of TEX. GOV'T CODE § 2001.056, 28 TEX. ADMIN. CODE § 1.47, and TEX. INS. CODE § 82.055.
3. Brown committed an act for which a license may be denied, as contemplated by TEX. INS. CODE §§ 4001.105 and 4005.101.
4. Pursuant to 28 TEX. ADMIN. CODE § 1.502(f), the factors in TEX. OCC. CODE §§ 53.022-53.023 outweigh the serious nature of Brown's criminal conviction.
5. The commissioner is an insurance regulatory official authorized to regulate Brown's activities in the business of insurance. The commissioner has primary jurisdiction to grant Brown written consent to engage or participate in the business of insurance, pursuant to 18 U.S.C. § 1033.

It is ordered that a general lines agent license with a life, accident, and health qualification is granted to LaTonya Marie Brown. It is further ordered that the general lines agent license with a life, accident, and health qualification is suspended for four years, probated.

If, during the probation period imposed by this order, the department issues any additional licenses or authorizations to LaTonya Marie Brown, those additional licenses or authorizations will be suspended until the probation period imposed by this order has ended. The suspension shall be probated, and the same terms and conditions stated in this order will apply.

Beginning from the date of this order and continuing through the probation period, Brown must provide written notice of her criminal record to any appointing company, agency, or sponsor. Brown must provide the department with a copy of the notification within 30 days of the appointment or sponsorship to the Texas Department of Insurance, Attn: Catherine Bell or her successor, Enforcement Section, Mail Code 110-1A, P.O. Box 149104, Austin, Texas 78714-9104.

Beginning from the date of this order and continuing through the probation period, Brown must file a written report, on or before the 15th day of the month on a quarterly basis for the months of March, June, September, and December, with the Texas Department of Insurance, Attn: Catherine Bell or her successor, Enforcement Section, Mail Code 110-1A, P.O. Box 149104, Austin, Texas 78714-9104. The reports must include the following information:

- a. Brown's current mailing address and telephone number;
- b. the name, mailing address, and telephone number of Brown's employer, and if Brown is self-employed, a statement that she is self-employed and the name, mailing address, and telephone number of her business;
- c. the name and address of any insurer which has appointed Brown as a general lines agent;
- d. the name and address of any insurer which has canceled Brown's appointment as a general lines agent; and
- e. a copy of any and all contracts Brown has entered into with an insurer, broker, managing general agent, managing general agency, or any person or entity in the business of insurance.

Brown must notify the department immediately of the following:

- a. any charges or indictments filed against her for a misdemeanor or felony during the period she is required to file reports, excluding traffic offenses and Class C misdemeanors;
- b. any state or regulatory actions taken against her including formal and informal actions;
- c. any change in her employment or her residence; and
- d. any complaint made against Brown concerning her performance as an insurance agent, as well as a written explanation detailing the steps taken to resolve it.

Written consent, as contemplated by 18 U.S.C. § 1033(e)(2), is granted for Brown to engage or participate in the business of insurance with respect to persons that are domiciled in and risks and

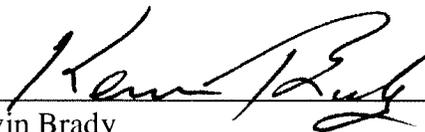
2017- 5119

COMMISSIONER'S ORDER

LaTonya Marie Brown

Page 4 of 5

subjects of insurance that are resident, located, or to be performed in Texas. This written consent will remain in effect for as long as Brown renews her license. This written consent terminates immediately if any insurance license or authorization held by Brown is suspended or revoked.



Kevin Brady

Deputy Commissioner For Agency Affairs

Texas Department of Insurance

Delegation Order 4506

APPROVED AS TO FORM AND CONTENT:



Cassie Tigie

Staff Attorney

Enforcement Section

Texas Department of Insurance

Affidavit

STATE OF TEXAS

§

COUNTY OF Pallas

§

§

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

“My name is LaTonya Marie Brown. 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.”

LaTonya Marie Brown  
Affiant

SWORN TO AND SUBSCRIBED before me on this 3<sup>rd</sup> day of May 2017, 2017.

(NOTARY STAMP)

Debra Jane Estrada  
Signature of Notary Public

