

No. 2017- 5120

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

Date: JUN 2 2 2017

Subject Considered:

ANDREA NICHELLE JACKSON
4568 CR 380
Tyler, Texas 75708

DEFAULT ORDER
SOAH DOCKET NO. 454-17-3949.C
TDI ENFORCEMENT FILE NO. 12111

General remarks and official action taken:

This order is in consideration of whether disciplinary action should be taken against Andrea Nichelle Jackson.

FINDINGS OF FACT

The findings of fact are as follows:

1. Andrea Nichelle Jackson, individual identification number 1431309, has a county mutual agent license issued by the Texas Department of Insurance on April 30, 2015, and a general lines agent license with a life, accident and health qualification issued by the department on May 3, 2015.
2. Department records show the last mailing address Jackson provided in writing is 4568 CR 380, Tyler, Texas 75708.
3. On May 5, 2017, TDI sent a notice of hearing to Jackson's last known address.
4. Jackson failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.
5. Jackson was appointed as an insurance agent by the Reliable Life Insurance Company.
6. Jackson failed to forward \$3,290.79 in premiums she collected from policy holders to Reliable.
7. Jackson's cash bond in the amount of \$1,780.52 was applied to the amount she failed to remit to Reliable, leaving a balance due of \$1,510.27.

8. TDI made written requests for information regarding issues related to this matter on February 22, 2017, March 1, 2017, and April 7, 2017. Jackson failed to respond by the 15th day after receiving these requests or to send a written request for more time to respond.

CONCLUSIONS OF LAW

The conclusions of law are as follows:

1. The commissioner has jurisdiction pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, 4051.201 and 4054.051, and TEX. GOVT CODE §§ 2001.051-2001.178.
2. TEX. GOVT CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89 give the commissioner authority to dispose of this case informally.
3. Based on 28 TEX. ADMIN. CODE § 19.906, Jackson's last known address is presumed to be 4568 CR 380, Tyler, Texas 75708.
4. The department sent a notice of hearing to Jackson'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. GOVT CODE Ch. 2001.
5. The department's allegations in the notice of hearing, set out herein as findings of fact nos. 1 and 5-8, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.
6. Jackson has committed an act for which a license may be revoked under TEX. INS. CODE § 4005.101, as contemplated by TEX. INS. CODE § 4001.105.
7. Jackson has willfully violated an insurance law of this state, as contemplated by TEX. INS. CODE § 4005.101(b)(1).
8. Jackson has misappropriated, converted to her own use, or illegally withheld money belonging to an insurer, in violation of TEX. INS. CODE § 4005.101(b)(4).
9. Jackson failed to respond not later than the 15th day after receiving an inquiry in writing from the department, in violation of TEX. INS. CODE § 38.001.

It is ordered that Andrea Nichelle Jackson's county mutual agent license and general lines agent license with a life, accident and health qualification are revoked.



Kevin Brady
Deputy Commissioner For Agency Affairs
Texas Department of Insurance
Delegation Order 4506

AFFIDAVIT

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

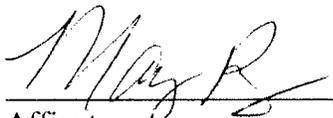
Before me, the undersigned authority, personally appeared Mary Ruiz, who, being by me duly sworn, deposed as follows:

“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 Andrea Nichelle Jackson. I have confirmed that:

- a. The last mailing address provided to the department by Andrea Nichelle Jackson in writing was 4568 CR 380, Tyler, Texas 75708.
- b. The file maintained by the Enforcement Section of the Legal and Enforcement Division contains a notice of hearing dated May 5, 2017, which was filed with the State Office of Administrative Hearings.
- c. The notice of hearing was addressed to Andrea Nichelle Jackson at her last known address and mailed first class and certified, with return receipt requested, on May 5, 2017.

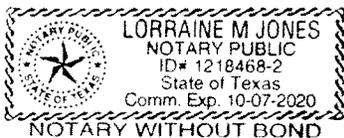
Copies of the first class and certified mail logs maintained by the Enforcement Section are attached as Exhibit A and Exhibit B.”

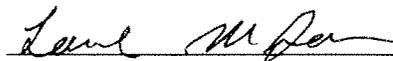


Affiant

SWORN TO AND SUBSCRIBED before me on June 16th, 2017.

(NOTARY SEAL)





Signature of Notary Public

Lorraine M. Jones

Printed Name of Notary Public

