

No. 2017- 5199

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

**Date:** AUG 3 0 2017

**Subject Considered:**

SAM ALBERT OLIVARES  
1720 Grand Avenue Parkway, Apt. 2105  
Pflugerville, Texas 78660

**DEFAULT ORDER**  
SOAH DOCKET NO. 454-17-4790.C  
TDI ENFORCEMENT FILE NO. 11512

**General remarks and official action taken:**

This order is in consideration of whether disciplinary action should be taken against Sam Albert Olivares.

**FINDINGS OF FACT**

1. Sam Albert Olivares, individual identification no. 1272177, holds a general lines agent license with a life, accident, and health qualification, and a property and casualty qualification, originally issued by TDI on February 21, 2014.
2. On June 21, 2017, the department sent a notice of hearing to Olivares's last known address provided in writing to the department, 1720 Grand Avenue Parkway, Apt. 2105, Pflugerville, Texas 78660, and one additional address: 1540 Cypress Creek Rd., #109, Cedar Park, Texas 78613.
3. Olivares failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.
4. Olivares was appointed by GEICO from November 2015, through May 2016.
5. Olivares misrepresented underwriting information, including prior bodily injury limits and prior insurance coverage, for approximately 125 consumers to obtain a better rate.
6. GEICO cancelled Olivares's appointment on May 4, 2016.

**CONCLUSIONS OF LAW**

1. The commissioner 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.

## COMMISSIONER'S ORDER

Sam Albert Olivares

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2. TEX. GOV'T 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, Olivares's last known address is presumed to be 1720 Grand Avenue Parkway, Apt. 2105, Pflugerville, Texas 78660.
4. The department sent a notice of hearing to Olivares'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. The department also sent a notice of hearing to one additional address: 1540 Cypress Creek Rd., #109, Cedar Park, Texas 78613.
5. The department's 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. Olivares has committed acts for which a license holder may be disciplined under TEX. INS. CODE § 4005.101, as contemplated in TEX. INS. CODE § 4005.102.
7. Olivares has willfully violated an insurance law of this state, pursuant to TEX. INS. CODE § 4005.101(b)(1).
8. Olivares has engaged in fraudulent or dishonest acts or practices, in violation of TEX. INS. CODE § 4005.101(b)(5).

It is ordered that Sam Albert Olivares's general lines agent license with a life, accident, and health qualification and a property and casualty qualification is revoked.



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

Affidavit

STATE OF TEXAS

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COUNTY OF TRAVIS

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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.

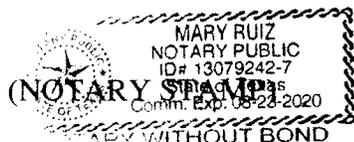
I have reviewed TDI’s records concerning Sam Albert Olivares. I have confirmed that:

- a. The last mailing address provided to the department by Sam Albert Olivares in writing is 1720 Grand Avenue Parkway, Apt. 2105, Pflugerville, Texas 78660.
- b. The file maintained by the Enforcement Section contains a notice of hearing dated June 21, 2017, filed with the State Office of Administrative Hearings.
- c. Certified letters, return receipts requested, and first class mailings, each containing a notice of hearing, were sent to Olivares’s last known address, and one additional address: 1540 Cypress Creek Rd., #109, Cedar Park, Texas 78613.

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

Judy Lopez  
Affiant

SWORN TO AND SUBSCRIBED before me on August 11, 2017.



Mary Ruiz  
Signature of Notary Public



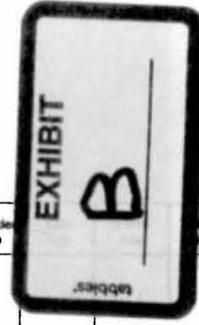
Name and Address of Sender  
 Texas Dept of Insurance  
 Mail Code 110-1A  
 333 Guadalupe St  
 Austin TX 78701  
 June 21, 2017  
 Judy Lopez

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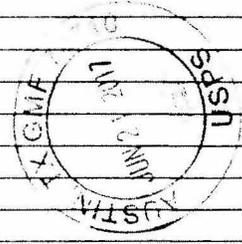
110-1A

- Check type of mail or service
- Adult Signature Required
  - Adult Signature Restricted Delivery
  - Certified Mail
  - Certified Mail Restricted
  - Collect on Delivery (COD)
  - Insured Mail
  - Priority Mail
  - Priority Mail Express
  - Registered Mail
  - Return Receipt for Merchandise
  - Signature Confirmation
  - Signature Confirmation Restricted

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	Address (Name, Street, City, State, & Zip Code)	Postage	(Extra Service) Fee	Handling Charge	Actual Value # Registered	Insured Value	Due Service # COD	SH Fee
	Sam Albert Olivares 1720 Grand Avenue Pkwy., Apt. 2105 Pflugerville, Texas 78660	.46						
Ecase #11512 - Notice of Hearing	Sam Albert Olivares 1540 Cypress Creek Rd., #109 Cedar Park, Texas 78613	.46						
Ecase #11512 - Notice of Hearing				\$50,000 in value				
				Handling Ch.				
				Adult Signature Requ.				
				Adult Signature Restricted Deliv.				
				Restricted Delivery				
				Return Receipt				
				Signature Confirmation				
				Signature Confirmation Restricted Delivery				
				Special Handling				



POSTAGE \$002.70

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