OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE

Date: AUG 3 1 2017

Subject Considered:

REBECCA E. ALBA
10622 Montwood Drive, Suite I
El Paso, Texas 79935-2753

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 10249

General remarks and official action taken:

This order is in consideration of whether disciplinary action should be taken against Rebecca E. Alba.

WAIVER

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

FINDINGS OF FACT

1. Rebecca E. Alba, individual identification no. 1530296, holds a general lines agent license with a life, accident, and health qualification and a property and casualty qualification, originally issued by the Texas Department of Insurance on October 10, 2008.

2. From March 11, 2014, through June 11, 2015, Alba employed an unlicensed customer service representative at the Rebecca Alba Insurance Agency.

3. Alba permitted the unlicensed employee to engage in the business of insurance without a license. Her activities included quoting, soliciting, and issuing policies.

4. During the period of July 2014, through April 2015, the Rebecca Alba Insurance Agency submitted 27 fictitious proof of prior insurance documents and three fictitious teaching certificates to Farmers Insurance to qualify insureds for lower premium rates.

5. Farmers cancelled Alba’s appointment on September 10, 2015.
6. Alba claims her unlicensed employee submitted the fictitious documents to Farmers.

7. Alba agrees to comply with all licensing laws moving forward including confirming that anyone engaging in the business of insurance in her office is licensed.

**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, 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 the provisions of TEX. GOV'T CODE § 2001.056, TEX. INS. CODE § 82.055, and 28 TEX. ADMIN. CODE § 1.47.

3. Alba engaged in fraudulent or dishonest acts or practices, in violation of TEX. INS. CODE § 4005.101(b)(5).

4. Alba violated TEX. INS. CODE §§ 101.102, 4001.101, 4051.051, 4054.051, and 4054.301 because she allowed a staff member to engage in the business of insurance without holding the proper license.

It is ordered that Rebecca E. Alba pay a $3,500.00 administrative penalty within 60 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 60851, MC 9999, P.O. Box 149104, Austin, Texas, 78714-9104.

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

APPROVED AS TO FORM AND CONTENT:

Cassie Tigue, Staff Attorney
Enforcement Section
Texas Department of Insurance
AFFIDAVIT

STATE OF TEXAS

COUNTY OF EL PASO

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

“My name is Rebecca E. Alba. 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.”

[Signature]
Affiant

SWORN TO AND SUBSCRIBED before me on this 18th day of August 2017.

[Signature of Notary Public]