

No. 2018- 5345

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

Date: JAN 1 0 2018

**Subject Considered:**

BEECHER CARLSON INSURANCE SERVICES, LLC  
6 Concourse Pkwy Ste 2300  
Atlanta, GA 30328

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 14837

**General remarks and official action taken:**

The subject of this order is whether disciplinary action should be taken against Beecher Carlson Insurance Services, LLC for failure to timely file new or renewal surplus lines insurance policies with the Surplus Lines Stamping Office of Texas.

**WAIVER**

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

**FINDINGS OF FACT**

1. Beecher Carlson Insurance, organization identification number 19764, holds a surplus lines license issued by the Texas Department of Insurance.
2. Pursuant to TEX. INS. CODE § 981.105(a), a surplus lines insurance agent must file with the Surplus Lines Stamping Office of Texas either:
  - a. a copy of the policy issued, or
  - b. if the policy has not yet been issued, a copy of the certificate, cover note, or other confirmation of insurance delivered to the insured.

This information is due not later than the 60<sup>th</sup> day after the later of the effective date or the issue date of new or renewal surplus lines insurance.

3. In 2016, Beecher Carlson Insurance filed surplus lines policies late.

4. Beecher Carlson represents the policies were inadvertently filed late due to the retirement of the individual in charge and the training of a new individual to take over the filing process.
5. The commissioner previously disciplined Beecher Carlson Insurance for violating TEX. INS. CODE § 981.105(a) in Official Order No. 4418, entered on April 28, 2016.

#### CONCLUSIONS OF LAW

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, and 981.105.
2. The commissioner of insurance has authority to informally dispose of this matter under TEX. INS. CODE § 82.055, TEX. GOV'T CODE § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.
3. Beecher Carlson Insurance has knowingly and voluntarily waived all procedural rights to which it may have been entitled regarding the entry of this order, including, but not limited to, issuance and service of notice of intention to institute disciplinary action, notice of hearing, a public hearing, a proposal for decision, rehearing by the commissioner, and judicial review.
4. Beecher Carlson Insurance violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

It is ordered that Beecher Carlson Insurance Services, LLC pay an administrative penalty of \$2,350. The administrative penalty must be paid within 30 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.



Kent C. Sullivan  
Commissioner of Insurance

For the Department:



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Sarah White, Staff Attorney

