

No. 2018- 5355

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

Date: JAN 10 2018

Subject Considered:

ANDREA REYES
2231 E. Camelback Rd.
Phoenix, Arizona 85016

DEFAULT ORDER
SOAH DOCKET NO. 454-18-0846.C
TDI ENFORCEMENT FILE NO. 14591

General remarks and official action taken:

The subject of this order is whether disciplinary action should be taken against Andrea Reyes.

FINDINGS OF FACT

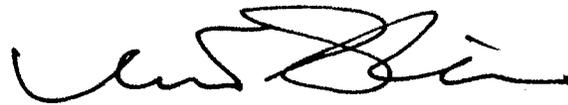
1. Andrea Reyes, individual identification number 1519753, holds a non-resident general lines agent license with a life, accident, and health qualification, originally issued by TDI on September 30, 2015.
2. On November 6, 2017, the department sent a notice of hearing to Reyes's last known address provided in writing to the department, 2231 E. Camelback Rd., Phoenix, Arizona 85016, and one additional address: 3224 W. Pieison St., Phoenix, Arizona 85017.
3. Reyes failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.
4. Reyes has a non-resident license because she lives in Arizona. This license type requires that Reyes have a resident license in good standing in her home state.
5. On November 30, 2016, the Arizona Department of Insurance revoked Reyes's resident insurance agent license. Reyes did not notify TDI of the revocation.

CONCLUSIONS OF LAW

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.252, 4005.101, 4005.102, 4054.051, and 4056.052, and TEX. GOV'T CODE §§ 2001.051-2001.178.

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, Reyes's last known address is presumed to be 2231 E. Camelback Rd., Phoenix, Arizona 85016.
4. The department sent a notice of hearing to Reyes'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: 3224 W. Pieison St., Phoenix, Arizona 85017.
5. The department's allegations in the notice of hearing, set out herein as findings of fact nos. 1 and 4-5, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.
6. Reyes does not hold a license in good standing as an agent in her state of residence, as required by TEX. INS. CODE § 4056.052, and is no longer eligible to hold a non-resident license in Texas.
7. Reyes did not notify the department of the administrative action taken against her, in violation of TEX. INS. CODE § 4001.252.

It is ordered that Andrea Reyes's non-resident general lines agent license with a life, accident, and health qualification is revoked.



Kent C. Sullivan
Commissioner of Insurance

Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §

Before me, the undersigned authority, personally appeared the affiant, 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 Reyes. I have confirmed that:

- a. The last mailing address provided to the department by Andrea Reyes in writing is 2231 E. Camelback Rd., Phoenix, Arizona 85016.
- b. The file maintained by the Enforcement Section contains a notice of hearing dated November 6, 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 Reyes's last known address, and one additional address: 3224 W. Pieison St., Phoenix, Arizona 85017.

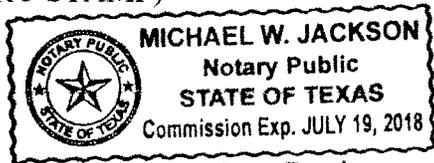
A copy of the first class and certified mail logs maintained by the Enforcement Section are attached as Exhibit A and Exhibit B.”



Affiant

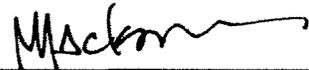
SWORN TO AND SUBSCRIBED before me on 14 December 2017

(NOTARY STAMP)



Notary without Bond

12421235-1



Signature of Notary Public

Name and Address of Sender
 Texas Dept of Insurance
 Mail Code 110-1A
 333 Guadalupe St
 Austin TX 78701
Mary Ruiz
 November 6, 2017

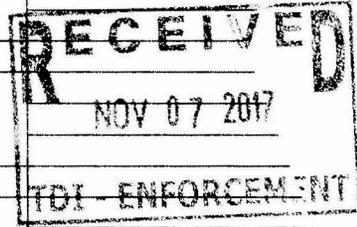
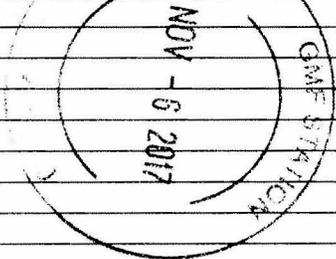
Check type of mail or service

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<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Return Receipt for Merchandise
<input checked="" type="checkbox"/> Certified Mail Restricted	<input type="checkbox"/> Signature Confirmation
<input type="checkbox"/> Collect on Delivery (COD)	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Priority Mail	

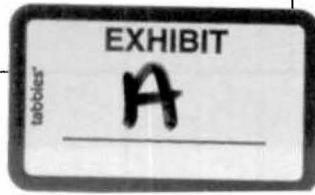
Firm Mailing Book For Accountable Mail

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 if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	Fee
TIGUE/14591	ANDREA REYES 2231 E. CAMELBACK RD. PHONENIX, ARIZONA 85016	.46												
TIGUE/14591	ANDREA REYES 3224 W. PIEISON ST PHOENIX, ARIZONA 85017	.40												
				70,000 in value										
				Handling Charge if										
				Adult Signature Rex										
				Adult Signature Restricted										
				Restricted Delivery										
				Return Receipt										
				Signature Confirmation										
				Signature Confirmation Restricted Delivery										
				Special Handling										
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of receiving employee)												



OFFICIAL BUSINESS STATE OF TEXAS PENALTY FOR PRIVATE USE
 RECEIVED NOV 07 2017
 REGISTERED MAIL \$002.70
 ZIP 78701
 2413 228074



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