

No. 2018- 5516

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

Date: MAY 24 2018

Subject Considered:

BRIAN JAMES HADEN
417 E Dallas Rd
Grapevine, Texas 76051

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 10889

General remarks and official action taken:

The subject of this order is whether disciplinary action should be taken against Brian James Haden (Haden).

FINDINGS OF FACT

Licensure

1. Haden, individual identification number 639920, holds a property and casualty adjuster license that the Texas Department of Insurance originally issued on July 21, 2005, and a public insurance adjuster license issued by the department on March 18, 2011.
2. Haden is president of Haden Claims Service LLC, firm identification number 46421, which was licensed with the department from February 28, 2012 to February 28, 2014, and again on September 13, 2017.

Use of Unregistered Name

3. On July 20, 2015, an insurer notified the department that Haden had operated under the name Insurance Claims Specialists, a name not registered with the department. Haden had an active individual public insurance adjuster license at this time.
4. Haden discontinued the use of the name Insurance Claims Specialists and reactivated the license previously issued to Haden Claims Service LLC.
5. Haden has confirmed to the department that all marketing materials, websites, and contracts associated with his business have been changed to reflect Haden Claims Service LLC.

6. Haden has been fully cooperative with the department's investigation and agrees to comply with all insurance laws in the future.

CONCLUSIONS OF LAW

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.052, 82.055, 4001.002, 4005.101-4005.103, 4101.051, and 4102.051; 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 §§ 36.104 and 82.055, and 28 TEX. ADMIN. CODE § 1.47.
3. Haden has knowingly and voluntarily waived all procedural rights to which he 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. Haden willfully violated an insurance law of this state, in violation of TEX. INS. CODE § 4005.101(b)(1), as contemplated by TEX. INS. CODE § 4005.102.
5. Haden violated TEX. INS. CODE § 4102.051 by operating as a public insurance adjuster firm without a license.

It is ordered that Brian James Haden must pay an administrative penalty of \$3,000 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

APPROVED AS TO FORM AND CONTENT:



LaKisha T. Seldon McKay
Staff Attorney, Enforcement Section
Texas Department of Insurance

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COMMISSIONER'S ORDER
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Affidavit

STATE OF Texas

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COUNTY OF Tarrant

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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 Brian James Haden. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

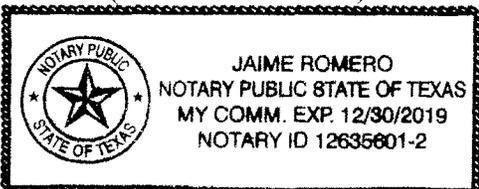
I waive rights provided by the Texas Insurance Code and other applicable law and acknowledge the jurisdiction of the commissioner.

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."

B. J. Haden
Affiant

SWORN TO AND SUBSCRIBED before me on this 22 day of February, 2018.

(NOTARY STAMP)



Jaime Romero
Signature of Notary Public