OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE

Date: JUL 30 2018

Subject Considered:

LESLIE JUANITA HERNANDEZ
109 Lynn St.
Nacogdoches, Texas 75964-6155

DEFAULT ORDER
SOAH DOCKET NO. 454-18-3440.C
TDI ENFORCEMENT FILE NO. 11470

General remarks and official action taken:

The subject of this order is whether disciplinary action should be taken against Leslie Juanita Hernandez (Hernandez).

FINDINGS OF FACT

Licensure

1. Hernandez, individual identification no. 1108330, holds a limited lines agent license originally issued by the Texas Department of Insurance on May 16, 2012.

Dishonest/Fraudulent Acts

2. The department received a complaint from MGA Insurance Company, Inc. (Gainsco) alleging Hernandez created approximately 27 forged and altered prior coverage documents and submitted those documents as part of policy applications to Gainsco.

3. Hernandez engaged in a scheme of creating and submitting forged and altered prior coverage documents to obtain lower premiums for insureds who did not qualify for the lower premiums.

4. Hernandez transmitted false information to Gainsco for multiple policy applications, including evidence of approximately 27 prior insurance coverage documents that were forged or altered. Hernandez did so knowingly with the expectation that Gainsco would rely on that information for the purpose of underwriting the applications for insurance coverage.
Failure to Complete Continuing Education


Failure to Respond to Notice of Hearing

7. On May 1, 2018, the department sent a notice of hearing to Hernandez’s last known address provided in writing to the department, 109 Lynn St., Nacogdoches, Texas 75964-6155.

8. Hernandez failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.

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, and 4051.101, and TEX. GOV’T CODE §§ 2001.051-2001.178.

2. The commissioner has authority to dispose of this case informally pursuant to TEX. GOV’T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89.

3. Based on 28 TEX. ADMIN. CODE § 19.906, Hernandez’s last known address is presumed to be 109 Lynn St., Nacogdoches, Texas 75964-6155.

4. The department sent a notice of hearing to Hernandez’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.

5. The department’s allegations in the notice of hearing, set out herein as findings of fact nos. 1-6, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.

6. Hernandez has committed acts for which a license holder may be disciplined pursuant to TEX. INS. CODE § 4005.101, as contemplated by TEX. INS. CODE § 4005.102.

7. Hernandez has willfully violated an insurance law of this state, pursuant to TEX. INS. CODE § 4005.101(b)(1).

8. Hernandez has engaged in fraudulent or dishonest acts or practices, in violation of TEX. INS. CODE § 4005.101(b)(5).
9. Hernandez failed to complete all required continuing education hours for the relevant renewal periods, in violation of TEX. INS. CODE §§ 4004.051 (West 2005), 4004.053 (West 2009), and 4004.054.

It is ordered that Leslie Juanita Hernandez’s limited lines agent license is revoked. A copy of this order will be provided to law enforcement and/or other appropriate administrative agencies for further investigation as may be warranted.

[Signature]
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 Mariah Cook 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 Leslie Juanita Hernandez. I have confirmed that:

a. The last mailing address provided to the department by Leslie Juanita Hernandez in writing is 109 Lynn St., Nacogdoches, Texas 75964-6155.

b. The file maintained by the Enforcement Section contains a notice of hearing dated May 1, 2018, 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 Hernandez’s last known address.

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 June 20, 2018.

Signature of Notary Public
Name and Address of Sender
Texas Dept of Insurance
Mail Code 110-1A
333 Guadalupe St
Austin TX 78701
Mariah Cook
May 1, 2018

USPS Tracking/Article Number
Tigue/11470

Address (Name, Street, City, State, & Zip Code)
Leslie Juantze Hernandez
109 Lynn St.
Nacogdoches, Texas 75964-6155

Affix Stamp Here

Date of Receipt
MAY 9 2018

Privacy Note: For more information on USPS privacy policies, visit usps.com/privacy policy.
**Name and Address of Sender**

MC-110-1A M. Cook  
Texas Department of Insurance  
333 Guadalupe St  
Austin TX 78701

**USPS Tracking/Article Number**

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**Postmark with Date of Receipt.**

**Due**

ASR, ASRD, RR, RD, SC, SCRD, SH

**PS Form 3877, April 2015 (Page 1 of 1)**