

No. 2019-6058

**Official Order
of the
Texas Commissioner of Insurance**

Date: AUG 23 2019

Subjects Considered:

Ronnie Jhue Pace
28 April Vlg
Montgomery, Texas 77356-5805

Pace Insurance Agency
120 Baker Dr
Tomball, Texas 77375

Consent Order
TDI Enforcement File Nos. 14917 and 14172

General remarks and official action taken:

The subject of this order is whether disciplinary action should be taken against Ronnie Jhue Pace (Pace) and Pace Insurance Agency (Pace Insurance).

Waiver

Pace and Pace Insurance acknowledge that the Texas Insurance Code and other applicable law provide certain rights. Pace and Pace Insurance waive all of these rights, and any other applicable procedural rights, in consideration of the entry of this consent order.

Findings of Fact

Licensure

1. Pace, individual identification no. 2498, holds a general lines agent license with a life, accident, health, and HMO qualification, and a property and casualty

qualification issued by the Texas Department of Insurance on April 2, 1986 and November 28, 1994, respectively.

Use of Unregistered Name

2. Through its investigation of a consumer complaint, the department discovered that Pace Insurance was not registered as an assumed name with the department.
3. Pace, a sole proprietor, began doing business as Pace Insurance in 1999. In November 2017, Pace registered Pace Insurance as an assumed name on his individual license with the department.

Unlicensed Activity

4. The department's investigation also revealed from that 2014 to 2017, an employee of Pace Insurance solicited and received applications for insurance from Texas consumers and aided in the transaction of the business of insurance in this state.
5. The employee did not hold a license or authorization to perform the acts of an agent issued by the department.
6. Pace immediately terminated the employee after the department notified Pace that the employee was required to have a license to engage in the business of insurance with Texas consumers.
7. Pace maintains the unlicensed employee was working under his direction and was used to provide service to Spanish-speaking consumers. The failure of the employee to have a license resulted in no consumer or insurer harm.
8. Pace has cooperated fully with the department's investigation and agrees to comply with all insurance laws in the future.

Conclusions of Law

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.001-82.056, 84.021-84.022, 101.051, 101.102, 4001.051, 4001.101, 4005.101, 4051.051, and 4054.051, and 28 TEX. ADMIN. CODE § 19.902.

2. The commissioner of insurance has the authority to dispose of this case informally pursuant to: TEX. GOV'T CODE § 2001.056; TEX. INS. CODE §§ 36.104 and 82.055; and 28 TEX. ADMIN. CODE § 1.47.
3. Pace and Pace Insurance have knowingly and voluntarily waived all procedural rights to which they 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. Pace violated 28 TEXAS ADMIN. CODE § 19.902(a) by not registering an assumed name with the department.
5. Pace and Pace Insurance violated TEX. INS. CODE §§ 101.051, 101.102, and 4001.101 by having an employee perform the acts of an agent without being properly licensed.

Order

It is ordered that Ronnie Jhue Pace and Pace Insurance Agency must pay, jointly and severally, an administrative penalty of \$3,500 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

By: _____


Doug Slape
Chief Deputy Commissioner
Commissioner's Order No. 2018-5528

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Recommended and reviewed by:



Leah Gillum, Associate Commissioner
Enforcement Section



Natalie Olvera, Staff Attorney
Enforcement Section

