Official Order of the Texas Commissioner of Insurance

Date: <u>05/13/2021</u>

Subject Considered:

Traviant Jackson
Shreveport, LA 71119

Default Order SOAH Docket No. 454-21-1953.C TDI Enforcement File No. 27053

General remarks and official action taken:

This is a default order taken against Traviant Jackson (Respondent) because he misrepresented policyholder information on applications, made payments through unrelated bank accounts to the policyholders, and failed to report that his license was revoked in his resident state. Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance. This order revokes Respondent's license.

The following findings of fact and conclusions of law are adopted:

Findings of Fact

Failure to Respond to Notice of Hearing

- 1. On April 12, 2021, the department filed a Notice of Hearing, attached as Exhibit A, and an Original Petition, attached as Exhibit B, with the State Office of Administrative Hearings.
- 2. The department's factual allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order as findings of fact.

Commissioner's Order Traviant Jackson SOAH Docket No. 454-21-1953.C Page 2 of 5

- 3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, Shreveport, LA 71119. The Notice of Hearing and Original Petition were also sent by electronic mail.
- 4. Respondent failed to file a written response to the Notice of Hearing within 20 days of the date the Notice of Hearing and Original Petition were mailed.

Conclusions of Law

- 1. The commissioner has jurisdiction under Texas law, including Tex. Ins. Code §§ 82.051-82.055, 4001.002, 4001.102, 4001.105, 4005.101-4005.105, 4054.051 and 4101.051; Tex. Occ. Code §§ 53.021-53.023; 28 Tex. Admin. Code § 1.502; and Tex. Gov't Code §§ 2001.051-2001.178.
- 2. The commissioner has authority to dispose of this case informally under Tex. GOV'T CODE § 2001.056; Tex. Ins. CODE § 82.055; and 28 Tex. ADMIN. CODE §§ 1.47, 1.88, and 1.89.
- 3. The department provided proper notice of the hearing under Tex. GOV'T CODE §§ 2001.051, 2001.052, and 2001.054, and 28 Tex. ADMIN. CODE §§ 1.28, 1.88, 1.89, and 19.906.
- 4. Based on Respondent's failure to file a written response to the Notice of Hearing, the department is entitled to disposition by default under 28 Tex. ADMIN. CODE §§ 1.88 and 1.89.
- 5. The department's factual and legal allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order and deemed admitted as true under 28 Tex. ADMIN. CODE § 1.89.

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Order

It is ordered that any licenses held by Traviant Jackson are 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.

Commissioner of Insurance

Doug Slape C77AB7C8C21B435.

Ву:

Doug Slape

DocuSigned by:

Chief Deputy Commissioner

Tex. Gov't Code § 601.002

Commissioner's Order No. 2018-5528

Prepared and reviewed by:

Sydney Moore, Staff Attorney

Enforcement Division

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Affidavit

STATE OF TEXAS §

S

COUNTY OF TRAVIS §

Before me, the undersigned authority, personally appeared David Moreno, who, being by me duly sworn, deposed as follows:

"My name is David Moreno, 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 Traviant Jackson. I have confirmed that:

- a. The last mailing address provided to the department in writing by Traviant Jackson is Shreveport, LA 71119.
- b. The file maintained by the Enforcement Division contains a Notice of Hearing and Original Petition dated April 12, 2021, which were filed with the State Office of Administrative Hearings.
- c. On April 12, 2021, the Notice of Hearing and Original Petition addressed to Traviant Jackson were mailed certified, return receipt requested, to his last known address.

Copies of the certified mail log maintained by the Enforcement Division are attached as Exhibit C."

DocuSigned by:	
David Moreno	
B309FD65429044A	
Affiant	

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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on $\frac{5/10/2021}{}$. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:
Mary Ruiz
795DC4D59167489
Notary Public State of Texas

ACCEPTED 454-21-1953 04/12/2021 12:48 PM STATE OFFICE OF ADMINISTRATIVE HEARINGS Donnie Roland, CLERK

SOAH DOCKET NO. 454-21-1953.C TDI ENFORCEMENT FILE NO. 27053

FILED 454-21-1953 4/12/2021 12:22 PM STATE OFFICE OF ADMINISTRATIVE HEARINGS Donnie Roland, CLERK

TEXAS DEPARTMENT OF INSURANCE,	BEFORE THE STATE OFFICE
Petitioner	
v.	OF
TRAVIANT JACKSON,	A DAMINIST DATING LIFA DINIGG
Respondent	ADMINISTRATIVE HEARINGS

NOTICE OF HEARING

The Texas Department of Insurance seeks to take disciplinary action against you. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **Wednesday**, **July 7**, **2021**, **at 9:00 a.m.** The hearing will take place via videoconference using a videoconference platform controlled by the State Office of Administrative Hearings, unless otherwise ordered to proceed in another manner by the Administrative Law Judge.

The hearing shall be conducted pursuant to Tex. Gov'T Code, ch. 2001 and 1 Tex. Admin. Code, ch. 155. Unless otherwise directed by the Administrative Law Judge, the hearing shall continue from day to day in the offices of the State Office of Administrative Hearings until concluded. You have the right to appear at this hearing and to be represented by an attorney.

Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH.

YOU MUST FILE A WRITTEN RESPONSE TO THE NOTICE OF HEARING WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS WITHIN 20 DAYS OF THE DATE THE NOTICE OF HEARING WAS MAILED. FAILURE TO FILE A WRITTEN RESPONSE BY THIS DEADLINE SHALL ENTITLE TDI TO SEEK DISPOSITION BY DEFAULT PURSUANT TO 1 Tex. Admin. Code § 155.501 AND 28 Tex. Admin. Code §§ 1.88 AND 1.89.

EXHIBIT A

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IF YOU FAIL TO FILE A WRITTEN RESPONSE, THE SCHEDULED HEARING CAN BE CANCELED AND WITHOUT FURTHER NOTICE TO YOU THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING REVOCATION OF YOUR LICENSE, ISSUANCE OF A CEASE AND DESIST ORDER, IMPOSITION OF ADMINISTRATIVE PENALTIES, AND/OR PAYMENT OF RESTITUTION IS GRANTED BY DEFAULT.

IF YOU FILE A WRITTEN RESPONSE BUT THEN FAIL TO APPEAR ON THE DAY AND TIME SET FOR HEARING, WITHOUT FURTHER NOTICE TO YOU, THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING REVOCATION OF YOUR LICENSE, ISSUANCE OF A CEASE AND DESIST ORDER, IMPOSITION OF ADMINISTRATIVE PENALTIES, AND/OR PAYMENT OF RESTITUTION IS GRANTED BY DEFAULT.

In accord with 28 Tex. ADMIN. CODE § 1.90(e) and 1 Tex. ADMIN. CODE §§ 155.101 and 155.103, you should send copies of your written response to:

- (1) Docketing Division
 State Office of Administrative Hearings
 300 West 15th Street, Room 504
 P.O. Box 13025
 Austin, Texas 78711-3025
 (512) 322-2061 (Fax);
- (2) Chief Clerk
 Texas Department of Insurance
 P.O. Box 149104, MC112-2A
 Austin, Texas 78714-9104
 (512) 490-1064 (Fax)
 chiefclerk@tdi.texas.gov; and
- (3) Sydney Moore, Staff Attorney
 Texas Department of Insurance
 Enforcement Division, MC110-1A
 P.O. Box 149104
 Austin, Texas 78714-9104

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(512) 490-1020 (Fax) sydney.moore@tdi.texas.gov

Receiving Documents

The State Office of Administrative Hearings (SOAH) offers you the ability to receive service of orders and other documents issued by SOAH through email instead of by mail or fax. If you want to receive SOAH-issued documents by email, go to SOAH's website, www.soah.texas.gov, click on the "E-Services" tab, then click the hyperlink "Request Service by Email (only for use by self-represented litigants)," and follow the instructions.

NOTE: A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents with SOAH. The rules for filing documents and providing copies to all other parties in the case are described in SOAH's Procedural Rules, which are available on SOAH's website. Click the "Agency" tab, then click "Administrative Rules and Laws" to view SOAH's Procedural Rules.

Important Security Notice

ALL VISITORS TO THE WILLIAM P. CLEMENTS BUILDING WITHOUT AN AGENCY OR DPS ISSUED ID CARD MUST PROVIDE THE BUILDING SECURITY OFFICER WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS DOCKET NUMBER AND RECEIVE A VISITOR'S PASS IN ORDER TO BE ALLOWED ACCESS TO THE HEARING ROOM. INDIVIDUALS SHOULD ALLOW ADDITIONAL TIME TO GO THROUGH THE SECURITY PROCESS.

If you have any questions, please contact me at the address or telephone number shown below.

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Respectfully Submitted,

Sydney Moore

State Bar No. 24056052

Texas Department of Insurance Enforcement Division, MC110-1A P.O. Box 149104 Austin, Texas 78714-9104 (512) 676-6339 (Direct) (512) 490-1020 (Fax)

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

sydney.moore@tdi.texas.gov

cc: Leah Gillum, Deputy Commissioner, Enforcement Division, MC-110-1A Whitney Fraser, Litigation Director, Enforcement Division, MC-110-1A Administrative Review, MC107-1A

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CERTIFICATE OF SERVICE

I, Sydney Moore, certify that a true and correct copy of the Notice of Hearing and the Original Petition were sent by certified mail, return receipt requested, on this 12th day of April, 2021 to:

Traviant Jackson

Via CM/RRR No.: 9214 8901 9403 8337 1085 87

Shreveport, LA 71119 Respondent Pro Se

Syduely MODIE

ACCEPTED 454-21-1953 04/12/2021 11:44 AM STATE OFFICE OF ADMINISTRATIVE HEARINGS Carol Hale, CLERK

SOAH DOCKET NO. 454-21-1953 TDI ENFORCEMENT FILE NO. 27053

FILED 454-21-1953 4/12/2021 10:03 AM STATE OFFICE OF ADMINISTRATIVE HEARINGS Carol Hale, CLERK

TEXAS DEPARTMENT OF INSURANCE,	BEFORE THE STATE OFFICE
Petitioner	
v.	OF
TRAVIANT JACKSON,	A DAMINUST DATIVE LIE A DINIGO
Respondent	ADMINISTRATIVE HEARINGS

ORIGINAL PETITION

The Texas Department of Insurance seeks to take disciplinary action against Traviant Jackson. In support of this petition, the department makes the following allegations upon information and belief:

Jurisdiction

The Commissioner of Insurance has jurisdiction over this matter pursuant to Tex. Ins. Code §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, and 4054.051, and Tex. Gov't Code §§ 2001.051-2001.178.

Factual Allegations

- Traviant Jackson (Jackson), individual identification number 2217213, holds a general lines license with life, accident, health, and HMO qualification issued by the Department on June 22, 2020.
- The Louisiana Department of Insurance found that Jackson, while working for Mutual of Omaha, misrepresented policyholder information on applications of insurance and made payments through bank accounts unrelated to the various policyholders to obtain the benefits.
- Jackson's license was revoked by his resident state of Louisiana on December 14, 2020.

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Original Petition Traviant Jackson Page 2 of 3

4. Jackson failed to notify the Texas Department of Insurance of the administrative action taken by Louisiana.

Legal Allegations

- 5. Jackson engaged in fraudulent or dishonest acts or practices, as contemplated in Tex. Ins. Code § 4005.101(b)(5).
- 6. Jackson failed to notify the Department of the administrative action taken by an insurance regulator of another state, in violation of Tex. Ins. Code § 4001.252(a)(3).
- 7. Jackson does not hold a license in good standing as an agent in his state of residence, as required by Tex. INS. Code § 4056.052, and is no longer eligible to hold a non-resident license in Texas.

Relief Sought

If one or more of the above allegations is found to be true, the department asks the Administrative Law Judge to enter a Proposal for Decision recommending that the Commissioner of Insurance issue an order:

- 1. revoking Jackson's license and
- 2. imposing any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

Respectfully Submitted,

Sydney Moore

State Bar No. 24056052

Texas Department of Insurance

Enforcement Division, MC110-1A

P.O. Box 149104

Austin, Texas 78714-9104

(512) 676-6339 (Direct)

(512) 490-1020 (Fax)

Original Petition Traviant Jackson Page 3 of 3

sydney.moore@tdi.texas.gov

ATTORNEY FOR THE PETITIONER TEXAS DEPARTMENT OF INSURANCE



Shipment Confirmation Acceptance Notice

Mailer Action

Note to Mailer: The labels and volume associated to this form online, must match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 04/12/2021

Shipped From:

Name: MC 110-1A D MORENO

333 GUADALUPE ST Address:

City:_AUSTIN

ZIP+4® _78701 State: TX

Type of Mail	<u></u>	Volume
Priority Mail Express®*		
Priority Mail®	0	7 6
First-Class Package Service®		
Returns		
International*		
Other	1	N.
Total	1	

^{*}Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail. Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0028 1919 18

moore/27053

TDI - ENFORCEMENT

PS Form 5630, September 2016

PSN 7530-08-000-4335

EXHIBIT

Firm Mailing Book For Accountable Mail

PSN 7530-02-000-9098

Jobid 2628560