# Official Order of the Texas Commissioner of Insurance

Date: <u>05/02/2023</u>

#### **Subject Considered:**

Lindsay Marie Coy

Austin, TX 78726-2238

Default Order SOAH Docket No. 454-23-14422.C TDI Enforcement File No. 29284

#### General remarks and official action taken:

This is a default order taken against Lindsay Marie Coy (Respondent) because she submitted fictitious information to an insurance company, bound an insurance policy without the insured's consent, and failed to respond to department inquiries. 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 March 23, 2023, 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 Lindsay Marie Coy SOAH Docket No. 454-23-14422.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, , Austin, TX 78726-2238.
- 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, 4005.101-4005.102, 4051.051 and 4054.051; Tex. Occ. Code §§ 53.021-53.023; 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 Lindsay Marie Coy 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.

DocuSigned by:

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Cassie Brown
Commissioner of Insurance

Prepared and reviewed by:

Nancy Williams, Staff Attorney

Enforcement

Commissioner's Order Lindsay Marie Coy SOAH Docket No. 454-23-14422.C Page 4 of 5

#### **Affidavit**

STATE OF TEXAS §

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 Lindsay Marie Coy. I have confirmed that:

- a. The last mailing address provided to the department in writing by Lindsay Marie Coy is , Austin, TX 78726-2238.
- b. The file maintained by Enforcement contains a Notice of Hearing dated March 23, 2023 and Original Petition dated March 14, 2023, which were filed with the State Office of Administrative Hearings.
- c. On March 23, 2023, the Notice of Hearing and Original Petition addressed to Lindsay Marie Coy were mailed certified, return receipt requested, to her last known address.

A copy of the certified mail log maintained by Enforcement is attached as Exhibit C."

DocuSigned by:	
David Moreno	
971E2D4C882B4A7	
Affiant	

Commissioner's Order Lindsay Marie Coy SOAH Docket No. 454-23-14422.C Page 5 of 5

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on  $\frac{4/19/2023}{}$ . This notarial act was an online notarization.

#### **Notary Seal**



#### **Digital Certificate**

DocuSigned by:

Mary Ruiy

795DC4D59167489...

Notary Public State of Texas

ACCEPTED 454-23-14422 3/23/2023 11:09:19 am STATE OFFICE OF ADMINISTRATIVE HEARINGS Kevin Garza, CLERK

#### SOAH DOCKET NO. 454-23-14422.C TDI ENFORCEMENT FILE NO. 29284

FILED 454-23-14422 3/23/2023 10:52 AM STATE OFFICE OF ADMINISTRATIVE HEARINGS Kevin Garza, CLERK

TEXAS DEPARTMENT OF INSURANCE,	BEFORE THE STATE OFFICE
Petitioner	
v.	OF
LINDSAY MARIE COY,	A DAMINUST DATIVE LUCA DINICS
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 **October 3, 2023 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 under 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 UNDER 1 TEX. ADMIN. CODE § 155.501 AND 28 TEX. ADMIN. CODE §§ 1.88 AND 1.89.

EXHIBIT

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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) (by mail, fax, or electronically)
  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);
  www.soah.texas.gov
- (2) (by mail, fax, or email)
  Chief Clerk
  Texas Department of Insurance
  P.O. Box 12030, MC GC-CCO
  Austin, Texas 78711-2030
  (512) 490-1064 (Fax)
  chiefclerk@tdi.texas.gov; and
- (3) (by mail, fax, or email)
  Nancy Williams, Staff Attorney

Notice of Hearing Lindsay Marie Coy SOAH Docket No. 454-23-14422.C Page 3 of 5

> Texas Department of Insurance Enforcement, MC ENF P.O. Box 12030 Austin, Texas 78711-2030 (512) 490-1020 (Fax) nancy.williams@tdi.texas.gov

#### **Receiving Documents Electronically and Filing Documents with SOAH**

The State Office of Administrative Hearings (SOAH) offers you the ability to electronically receive orders and other documents issued by SOAH by email instead of by mail. If you want to receive SOAH-issued documents by email, follow the instructions on SOAH's website: www.soah.texas.gov.

A request to receive SOAH-issued documents by email does <u>not</u> change the procedures you must follow to file documents or exhibits with SOAH. Instructions on how to file documents and exhibits are on SOAH's website. SOAH's website also includes guidance for representing yourself.

**Important Security Notice** (for In-Person Hearings ONLY)

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.

Notice of Hearing Lindsay Marie Coy SOAH Docket No. 454-23-14422.C Page 4 of 5

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

Respectfully Submitted,

Nancy Williams

State Bar No. 24058175

Texas Department of Insurance

Enforcement, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6338 (Direct)

(512) 490-1020 (Fax)

nancy.williams@tdi.texas.gov

ATTORNEY FOR THE PETITIONER TEXAS DEPARTMENT OF INSURANCE

**Enclosure: Original Petition** 

cc: Leah Gillum, Deputy Commissioner, Fraud and Enforcement Division, MC ENF Whitney Fraser, Litigation Director, Enforcement, MC ENF

Administrative Review, MC CO-AAL

Notice of Hearing Lindsay Marie Coy SOAH Docket No. 454-23-14422.C Page 5 of 5

#### CERTIFICATE OF SERVICE

I, Nancy Williams, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by electronic mail, first-class mail, and by certified mail, return receipt requested, on this 23rd day of March, 2023 to:

Lindsay Marie Coy

Austin, TX 78726-2238 Self-Represented Via CM/RRR No.: 9214 8901 9403 8308 3869 52

Via Email:

Nancy Williams

FILED 2023-7917 454-23-14422 3/14/2023 8:53 AM STATE OFFICE OF ADMINISTRATIVE HEARINGS Crystal Rosas, CLERK ACCEPTED 454-23-14422 3/14/2023 8:56:54 am STATE OFFICE OF ADMINISTRATIVE HEARINGS Crystal Rosas, CLERK

## SOAH DOCKET NO. 454-23-\_\_\_\_\_ TDI ENFORCEMENT FILE NO. 29284

TEXAS DEPARTMENT OF INSURANCE,	BEFORE THE STATE OFFICE
Petitioner	
v.	OF
LINDSAY MARIE COY,	A DAMINISTO ATIVE LIFA DINISS
Respondent	ADMINISTRATIVE HEARINGS

#### ORIGINAL PETITION

The Texas Department of Insurance seeks to take disciplinary action against Lindsay Marie Coy. 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 under Tex. INS. CODE §§ 82.051-82.055, 84.021-84.044, 4001.002, 4005.101, 4005.102, 4051.051 and 4054.051, and Tex. Gov't Code §§ 2001.051-2001.178.

#### **Factual Allegations**

- 1. Lindsay Marie Coy (Coy), individual identification number 1347856, holds a general lines agent license with a property and casualty qualification originally issued by the Texas Department of Insurance (TDI) on July 17, 2014, and a life, accident, health, and HMO qualification issued on July 21, 2022.
- 2. On February 15, 2021, Coy contracted with Firefly Agency LLC (Firefly) as an independent agent.
- 3. Soon after Coy began working for Firefly, Firefly received a consumer call concerning a policy the consumer had purchased from Coy that was not active.
- Firefly subsequently investigated Coy's sales and found that 32 of Coy's 58 customer policies contained fraudulent behaviors including unauthorized

**EXHIBIT** 

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signatures, unauthorized use of bank account numbers, and the use of incorrect driver's license numbers to avoid higher premiums.

- 5. On November 10, 2021, Firefly terminated Coy's contract.
- 6. On January 10, 2022, Coy contracted to work as an independent agent for Hippo Analytics Inc (Hippo).
- 7. According to Hippo's records, the following activities occurred at Hippo:
  - On March 11, 2022, Coy was issued a warning for binding a policy without the consumers consent.
  - On May 4, 2022, a Hippo audit revealed that Coy was sending applications to herself instead of the applicant for signatures.
  - On May 5, 2022, Hippo confronted Coy about the information revealed in the audit and Coy stated that she had received verbal consent from the applicants to sign the documents. Coy was suspended pending an investigation.
  - On May 6, 2022, Coy was terminated after an audit of her calls revealed that Coy had not obtained verbal consent to sign the documents.
- 8. On June 6, 2022, TDI's Consumer Protection (CP) division received a complaint from Coy's direct supervisor at Hippo indicating that Coy had bound multiple policies without the insured's consent or knowledge and provided false information to consumers regarding their coverage.
- 9. On June 10, 2022, CP sent a written request for information regarding the Hippo complaint to Coy's email of record, indicating a required response. Coy failed to respond to CP's inquiry.
- 10. On August 25, 2022, TDI sent a written inquiry by certified mail to Coy's address of record and by email, indicating a required response. No response was received by TDI.

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11. On September 27, 2022, TDI sent a second inquiry by certified mail to Coy's address of record and by email, indicating a required response. No response was received by TDI.

#### **Legal Allegations**

- 1. Coy committed acts for which a license holder may be disciplined under Tex. INS. CODE § 4005.101, as contemplated by Tex. INS. CODE § 4005.102.
- 2. Coy engaged in fraudulent or dishonest acts or practices, in violation of Tex. INS. CODE § 4005.101(b)(5).
- 3. Coy failed to respond to TDI's written inquiry within the statutory time limit, in violation of TEX. INS. CODE § 38.001.

#### **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 Lindsay Marie Coy'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,

Nancy Williams

State Bar No. 24058175

Texas Department of Insurance

Name Williams

Enforcement, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6338 (Direct)

(512) 490-1020 (Fax)

nancy.williams@tdi.texas.gov

Original Petition Lindsay Marie Coy Page 4 of 4

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

#### **Automated Certificate of eService**

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Nancy Williams Bar No. 24058175 Enforcementgeneral@tdi.texas.gov Envelope ID: 73626935 Filing Code Description: Request to Docket

Filing Description: Request to Docket Status as of 3/14/2023 1:06 PM CST

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	3/14/2023 8:53:54 AM	SENT

Associated Case Party: Texas Department of Insurance

Name	BarNumber	Email	TimestampSubmitted	Status
Nancy Williams		Nancy.Williams@tdi.texas.gov	3/14/2023 8:53:54 AM	SENT
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	3/14/2023 8:53:54 AM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	3/14/2023 8:53:54 AM	SENT

Associated Case Party: Lindsay Marie Coy

Name		BarNumber	Email	TimestampSubmitted	Status
Lindsay Marie	Coy			3/14/2023 8:53:54 AM	SENT

#### Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Nancy Williams Bar No. 24058175 Enforcementgeneral@tdi.texas.gov Envelope ID: 73940504

Filing Code Description: Notice of Hearing

Filing Description: Notice of Hearing and Original Petition

Status as of 3/23/2023 11:10 AM CST

Associated Case Party: Texas Department of Insurance

Name	BarNumber	Email	TimestampSubmitted	Status
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	3/23/2023 10:52:38 AM	SENT
Nancy Williams		Nancy.Williams@tdi.texas.gov	3/23/2023 10:52:38 AM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	3/23/2023 10:52:38 AM	SENT
Leah Gillum		Leah.Gillum@tdi.texas.gov	3/23/2023 10:52:38 AM	SENT
Catarina Tapia		Catarina.Tapia@tdi.texas.gov	3/23/2023 10:52:38 AM	SENT

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	3/23/2023 10:52:38 AM	SENT

Associated Case Party: Lindsay Marie Coy

Name	BarNumber	Email	TimestampSubmitted	Status
Lindsay Marie Coy			3/23/2023 10:52:38 AM	SENT
Lindsay Marie Coy			3/23/2023 10:52:38 AM	SENT



#### **Shipment Confirmation** Acceptance Notice

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: 03/23/2023

Shipped From:

Name: MC ENF M RUIZ

Address: 1601 CONGRESS AVENUE SUITE 6 900

City: AUSTIN

State: TX ZIP+49 78711

Type of Mail	Volume
Priority Mail Express**	
Priority Mail®	0
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

<sup>\*</sup>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:

- Home screen > Mailing/Shipping > More
   Select Shipment Confirm
- Scan or enter the barcode/label number from PS Form 5630
   Confirm the volume count message by selecting Yes or No
   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



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narne and Address of Sender Lexas Dept of Insurance Mail Code ENF 1901 Congress Avenue, Suite 6.900 Austin TX 78711 Mary Ruiz March 23, 2023	USPS Tracking/Article Number	MAR 24 2023 DI - ENFORCEMENT

**Certificate Of Completion** 

Envelope Id: 13F0195CD0614B9BA6CA9AA6487CA3A0

Subject: Complete with DocuSign: 29284\_Coy\_Default Order.pdf

Source Envelope:

Document Pages: 19

Certificate Pages: 5

AutoNav: Enabled

Envelopeld Stamping: Disabled

Time Zone: (UTC-06:00) Central Time (US & Canada)

Status: Completed

Envelope Originator:

Mary Ruiz

Mary.Ruiz@tdi.texas.gov IP Address: 162.196.136.178

**Record Tracking** 

Status: Original

4/19/2023 12:12:15 PM

Security Appliance Status: Connected

Storage Appliance Status: Connected

Holder: Mary Ruiz

Mary.Ruiz@tdi.texas.gov

Pool: FedRamp

Pool: Texas Department of Insurance

Location: DocuSign

Location: DocuSign

Signer Events

David Moreno

David.Moreno@tdi.texas.gov

Security Level: Notarized Signing (Notary: Mary

Ruiz), Account Authentication (None), Access Code

Signature

Signatures: 2

Initials: 0

David Moreno 971E2D4C882B4A7...

Signature Adoption: Pre-selected Style Using IP Address: 155.190.8.6

**Timestamp** 

Sent: 4/19/2023 12:14:45 PM Viewed: 4/19/2023 12:21:02 PM Signed: 4/19/2023 12:40:31 PM

**Electronic Record and Signature Disclosure:** 

Accepted: 4/19/2023 12:21:02 PM

In Person Signer Events

ID: f22a48b2-b1f0-4d45-bd03-33f431de784f

**Signature Timestamp** 

**Editor Delivery Events Status Timestamp** 

**Agent Delivery Events Status Timestamp** 

**Intermediary Delivery Events Status Timestamp** 

**Certified Delivery Events Status Timestamp** 

**Carbon Copy Events Status Timestamp** 

Witness Events **Signature Timestamp** 

**Notary Events** 

Notary Name: Mary Ruiz

Notary Email: Mary.Ruiz@tdi.texas.gov

Notary Address: TX Notary Signer: David Moreno Notary Designated By: Mary Ruiz

Security Level: Email, Account Authentication

(None)

Signature

MARY RUIZ Notary ID 130792427 My Commission Expires 8/23/2024

Mary Ruin

795DC4D59167489...

Using IP Address: 155.190.8.6

**Timestamp** 

Sent: 4/19/2023 12:14:46 PM Viewed: 4/19/2023 12:41:33 PM Signed: 4/19/2023 12:41:52 PM

Freeform Signing

**Electronic Record and Signature Disclosure:** 

Not Offered via DocuSign