No. 2023-8324

Official Order of the Texas Commissioner of Insurance

Date: 11/6/2023

Subject Considered:

Ro<u>naldo Camac</u>ho

Lamesa, Texas 79331-6605

Default Order SOAH Docket No. 454-24-02660 TDI Enforcement File No. 31305

General remarks and official action taken:

This is a default order taken against Ronaldo Camacho (Respondent) because he submitted unauthorized premium loan applications against insureds' policies to pay for policies. Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance (TDI). 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 October 9, 2023, TDI 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. TDI's factual allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order as findings of fact.
- 3. TDI sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, Lamesa, Texas 79331-

Commissioner's Order Ronaldo Camacho SOAH Docket No. 454-24-02660 Page 2 of 5

6605. 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. TDI 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, TDI is entitled to disposition by default under 28 TEX. ADMIN. CODE §§ 1.88 and 1.89.
- 5. TDI'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.

Order

It is ordered that any licenses held by Ronaldo Camacho are revoked. A copy of this order will be provided to law enforcement or other appropriate administrative agencies for further investigation as may be warranted.

DocuSigned by: Anon FC5D7EDDFFBB4F8.

Cassie Brown Commissioner of Insurance

Commissioner's Order Ronaldo Camacho SOAH Docket No. 454-24-02660 Page 3 of 5

Prepared and reviewed by:

Sydney More, Staff Attorney

Enforcement

Commissioner's Order Ronaldo Camacho SOAH Docket No. 454-24-02660 Page 4 of 5

Affidavit

STATE OF TEXAS	§
	§
COUNTY OF TRAVIS	§

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

"My name is Roxanne Rodriguez 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 Ronaldo Camacho. I have confirmed that:

- The last mailing address provided to the department in writing by Ronaldo a. , Lamesa, Texas 79331-6605. Camacho is
- b. The file maintained by Enforcement contains a Notice of Hearing, dated October 12, 2023, and an Original Petition dated October 9, 2023, which were filed together with the State Office of Administrative Hearings on October 12, 2023.
- C. On October 12, 2023, the Notice of Hearing and Original Petition addressed to Ronaldo Camacho were mailed first-class and certified, return receipt requested, to his last known address.

Copies of the first-class mail log and certified mail log maintained by Enforcement are attached as Exhibit C and Exhibit D, respectively."

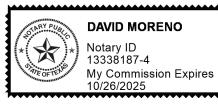
DocuSigned by: Rosanne Rodrigues E16E9F6B3B75423...

Affiant

Commissioner's Order Ronaldo Camacho SOAH Docket No. 454-24-02660 Page 5 of 5

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on $\frac{11/2/2023}{}$. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigne	ed by:
David	Moren

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Notary Public State of Texas

2023-8324 FILED 454-24-02660 10/12/2023 12:05 PM STATE OFFICE OF ADMINISTRATIVE HEARINGS Crystal Rosas, CLERK

SOAH DOCKET NO. 454-24-02660 TDI ENFORCEMENT FILE NO. 31305 ACCEPTED 454-24-02660 10/12/2023 12:09:09 pm STATE OFFICE OF ADMINISTRATIVE HEARINGS Crystal Rosas, CLERK

TEXAS DEPARTMENT	OF INSURANCE ,
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Petitioner

v.

RONALDO CAMACHO,

ADMINISTRATIVE HEARINGS

Respondent

NOTICE OF HEARING

The Texas Department of Insurance (TDI) 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 TDI.

A public hearing will be held before an Administrative Law Judge on **Wednesday**, **February 21, 2024, 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.

BEFORE THE STATE	OFFICE
	EXHIBIT
OF	A

Notice of Hearing Ronaldo Camacho SOAH Docket No. 454-24-02660 Page 2 of 5

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) Sydney Moore, Staff Attorney

Notice of Hearing Ronaldo Camacho SOAH Docket No. 454-24-02660 Page 3 of 5

> Texas Department of Insurance Enforcement, MC ENF P.O. Box 12030 Austin, Texas 78711-2030 (512) 490-1020 (Fax) Sydney.moore@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 Ronaldo Camacho SOAH Docket No. 454-24-02660 Page 4 of 5

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

Respectfully Submitted,

ydueer Moore

Sydney Moore State Bar No. 24056052 Texas Department of Insurance Enforcement, MC ENF P.O. Box 12030 Austin, Texas 78711-2030 (512) 676-6339 (Direct) (512) 490-1020 (Fax) Sydney.moore@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 Ronaldo Camacho SOAH Docket No. 454-24-02660 Page 5 of 5

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 regular, first-class mail and by certified mail, return receipt requested, on this 12th day of October, 2023 to:

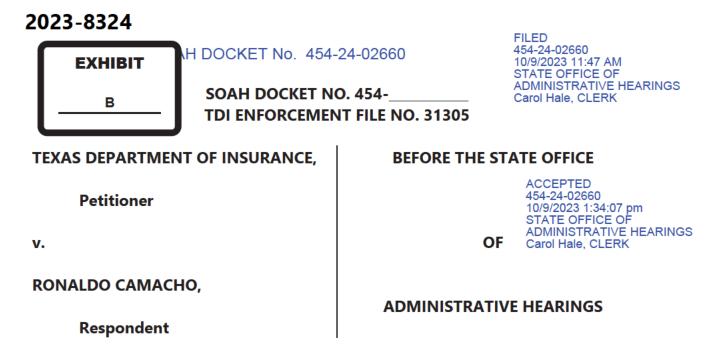
<u>Ronaldo Cam</u>acho

Lamesa, Texas 79331-6605 *Respondent Pro Se* Via CM/RRR No.: 9214890194038333485149

Via email:

Sydney Moore

STATE OFFICE OF ADMINISTRATIVE HEARINGS RECEIVED ON 10/9/2023 11:47 AM



ORIGINAL PETITION

The Texas Department of Insurance (TDI) seeks to take disciplinary action against Ronaldo Camacho. 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, 4001.002, 4005.101, 4005.102, 4051.2010, 4054.051; and TEX. GOV'T CODE §§ 2001.051-2001.178.

Factual Allegations

- Ronaldo Camacho (Camacho), individual identification number 124263, holds a general lines agent license with life, accident, health and HMO qualification issued by TDI on May 20, 1998, and a county mutual agent license issued by TDI on April 7, 2023.
- 2. Camacho submitted premium loan applications to American National Insurance Company (American National) against insured's policies to pay for premiums without their knowledge or consent.
- 3. Camacho fabricated loan forms by whiting out the loan information and then altering and manipulating the loan dates, number of months of premium, and amount of premium.

- 4. American National's investigation revealed that when clients requested a surrender of their policies, he would process the maximum loan amounts on the policies instead without the insured's knowledge or consent. Camacho then used the money to pay for other policies that were set to lapse
- 5. Camacho told employees to request that insureds sign blank loan documents authorizing American National to use the cash value of the policy to pay the insurance premiums. Camacho failed to inform insureds that using cash value of the policies to pay their premiums were actually loans against the policy.
- 6. As a result of Camacho's conduct, beneficiaries were harmed because they received less than the face amount of the policy.
- 7. Camacho also instructed employees to write fictitious policies and to pay for premiums themselves on policies that were getting ready to lapse in order to meet quotas and qualify for incentives.

Legal Allegations

- 1. Camacho engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5).
- 2. Camacho materially misrepresented the terms and conditions of insurance policies or contracts, as contemplated in TEX. INS. CODE § 4005.101(b)(6).
- 3. Camacho has misrepresented an insurance policy by making an untrue statement of material fact, by failing to state a necessary material fact, by making a statement in such a manner as to mislead a reasonably prudent person to a false conclusion of a material fact, by making a material misstatement of law, and by failing to disclose any matter required by law to be disclosed, as contemplated in TEX. INS. CODE Ch. 541, Subchapter B and 28 TEX. ADMIN. CODE § 21.4.

Relief Sought

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

Original Petition Ronaldo Camacho Page 3 of 3

- 1. revoking Ronaldo Camacho'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,

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Sydney Moore State Bar No. 24056052 Texas Department of Insurance Enforcement, MC ENF P.O. Box 12030 Austin, Texas 78711-2030 (512) 676-6339 (Direct) (512) 490-1020 (Fax) Sydney.moore@tdi.texas.gov

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 Sydney Moore Bar No. 24056052 Enforcementgeneral@tdi.texas.gov Envelope ID: 80380528 Filing Code Description: Request to Docket Filing Description: Camacho_31305Request to Docket Status as of 10/9/2023 1:43 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	10/9/2023 11:47:27 AM	SENT
Sydney Moore		Sydney.Moore@tdi.texas.gov	10/9/2023 11:47:27 AM	SENT
Chief Clerk		ChiefClerk@tdi.texas.gov	10/9/2023 11:47:27 AM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	10/9/2023 11:47:27 AM	SENT
Ronaldo Camacho			10/9/2023 11:47:27 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 Sydney Moore Bar No. 24056052 Enforcementgeneral@tdi.texas.gov Envelope ID: 80524956 Filing Code Description: Notice of Hearing Filing Description: Camacho_31305 NOH_OP Status as of 10/12/2023 12:10 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	10/12/2023 12:05:43 PM	SENT
Leah Gillum		Leah.Gillum@tdi.texas.gov	10/12/2023 12:05:43 PM	SENT
Chief Clerk		ChiefClerk@tdi.texas.gov	10/12/2023 12:05:43 PM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	10/12/2023 12:05:43 PM	SENT
Sydney Moore		Sydney.Moore@tdi.texas.gov	10/12/2023 12:05:43 PM	SENT
Jodie Delgado		jodie.delgado@tdi.texas.gov	10/12/2023 12:05:43 PM	SENT
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Action

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City: AUSTIN

State: TX ZIP+4® 78701

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- Confirm the volume count message by selecting Yes or No 4.
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