

No. 2023-8329

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

**Date: 11/7/2023**

**Subject Considered:**

Peachtree Special Risk Brokers, LLC  
3525 Piedmont Rd NE Ste 700 Bldg 5  
Atlanta, GA 30305-1608

Consent Order  
TDI Enforcement File No. 32786

**General remarks and official action taken:**

This is a consent order with Peachtree Special Risk Brokers, LLC (Peachtree). Peachtree failed to timely file surplus lines policies and related documents. Peachtree has agreed to pay an administrative penalty of \$35,025 for these violations.

**Waiver**

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

**Findings of Fact**

1. Peachtree, license number 1396372, holds a surplus lines license issued by the Texas Department of Insurance (TDI).
2. Pursuant to TEX. INS. CODE § 981.105(a), a surplus lines insurance agent must file with the Surplus Lines Stamping Office of Texas either:
  - a. a copy of the policy issued or
  - b. if the policy has not yet been issued, a copy of the certificate, cover note, or other confirmation of insurance delivered to the insured.

## **2023-8329**

Commissioner's Order

Peachtree Special Risk Brokers, LLC

Page 2 of 4

This information is due not later than the 60th day after the later of the effective date or the issue date of new or renewal surplus lines insurance.

3. In 2022, Peachtree did not timely file surplus lines policies and related documents.
4. In March 2022, TDI assessed fees against Peachtree because the late-filed surplus lines policies met at least one of the conditions in TEX. INS. CODE § 981.105(d-e).
5. Peachtree did not timely pay the fees assessed pursuant to TEX. INS. CODE § 981.105(c-e).

### **Conclusions of Law**

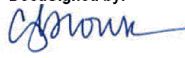
1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, and 981.105.
2. The commissioner of insurance has authority to informally dispose of this matter under TEX. INS. CODE § 82.055, TEX. GOV'T CODE § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.
3. Peachtree has knowingly and voluntarily waived all procedural rights to which it 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. Peachtree violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

# 2023-8329

Commissioner's Order  
Peachtree Special Risk Brokers, LLC  
Page 3 of 4

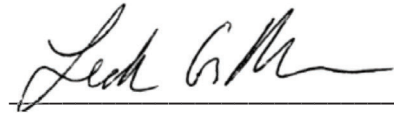
## Order

It is ordered that Peachtree Special Risk Brokers, LLC must pay an administrative penalty of \$35,025 within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which TDI will send after entry of this order.

DocuSigned by:  
  
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Cassie Brown  
Commissioner of Insurance

Recommended and reviewed by:



Leah Gillum, Deputy Commissioner  
Fraud and Enforcement Division



Erik Huhn, Attorney  
Enforcement

**2023-8329**

Commissioner's Order  
Peachtree Special Risk Brokers, LLC  
Page 4 of 4

**Affidavit**

**THE STATE OF** Georgia

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**COUNTY OF** Fulton County

§

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

"My name is Elizabeth B White. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

I hold the office of President and am the authorized representative of Peachtree Special Risk Brokers, LLC. I am duly authorized by the organization to execute this statement.

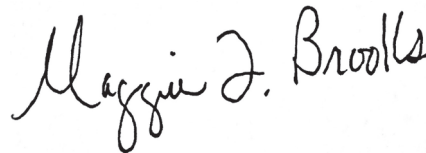
Peachtree Special Risk Brokers, LLC has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas."

  
Affiant

SWORN TO AND SUBSCRIBED before me on October 26, 2023.

(NOTARY SEAL)

**Maggie F Brooks**  
**NOTARY PUBLIC**  
Lamar County, GEORGIA  
My Commission Expires 05/29/2026



Signature of Notary Public

Maggie F. Brooks

Printed Name of Notary Public