

No. **2026-9808**

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

Date: 02/20/2026

Subject Considered:

Homeowners of America Insurance Company
1400 Corporate Dr Ste 300
Irving, Texas 75038-2939

Consent Order
TDI Enforcement File No. 36978

General remarks and official action taken:

This is a consent order with Homeowners of America Insurance Company (Homeowners). Homeowners charged an installment fee and a non-sufficient funds fee prior to submitting the required rate filings. Homeowners has agreed to pay an administrative penalty of \$75,000 and certain restitution to the affected policyholders.

Waiver

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

Findings of Fact

1. Homeowners is a fire and casualty insurance company holding a certificate of authority to transact business in the state of Texas.
2. TEX. INS. CODE § 2251.101(a) requires each insurer to file with the commissioner all rates, applicable rating manuals, supplementary rating information, and additional information as required by the commissioner.

2026-9808

Commissioner's Order

Homeowners of America Insurance Company

Page 2 of 5

3. Pursuant to 28 TEX. ADMIN. CODE § 5.9334(b), insurers are required to file with TDI any new rates, rating manuals, rules, all other supplementary rating information, and fees, or revisions to these items and all other information required for rates governed by Chapter 2251 of the Texas Insurance Code.

Non-sufficient Funds Fees

4. Section 3.506 of the Texas Business and Commerce Code authorizes a maximum of \$30 to be charged for non-sufficient funds fees.
5. Homeowners charged \$25 in non-sufficient funds fees authorized by the Texas Business and Commerce Code prior to submitting the required filings specified under TEX. INS. CODE § 2251.101(a) and 28 TEX. ADMIN. CODE § 5.9334(b).

Installment Fees

6. Homeowners charged \$5 installment fees prior to submitting the required filings specified under TEX. INS. CODE § 2251.101(a) and 28 TEX. ADMIN. CODE § 5.9334(b).

Conclusions of Law

1. The commissioner has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 84.021–84.044, and 801.052–801.053.
2. The commissioner has the authority to informally dispose of this matter as set forth in TEX. GOV'T CODE § 2001.056, and TEX. INS. CODE §§ 36.104 and 82.055.
3. Homeowners 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. Homeowners violated TEX. INS. CODE § 2251.101 and 28 TEX. ADMIN. CODE § 5.9334(b), by charging installment fees and non-sufficient funds fees without having submitted the required filings to TDI for these fees.

2026-9808

Commissioner's Order

Homeowners of America Insurance Company

Page 3 of 5

5. Pursuant to TEX. INS. CODE § 82.053, the commissioner is authorized to direct Homeowners to make complete restitution to each policyholder impacted by the violations.

Order

It is ordered that Homeowners of America Insurance Company pay an administrative penalty of \$75,000 within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which the department will send after entry of this order.

Homeowners of America Insurance Company is also ordered to comply with the following:

- a. Homeowners must identify all policies issued by it in Texas with effective dates from April 3, 2024, through April 3, 2025 (the Review Period).
- b. For each policy in the Review Period, Homeowners must calculate and determine whether the policyholder was charged an installment fee that was not on file with the department at the time of the charge. The amount constitutes the Overcharge.
- c. Homeowners must pay restitution in the form of a company check or account credit to each policyholder identified in the Review Period as having an Overcharge (the Qualifying Policyholders). The restitution check and/or account credit must include both the dollar amount of the overcharge, plus simple interest due on the overcharge. The rate of interest shall be five percent per annum.
- d. Homeowners must mail the restitution checks and/or issue the account credits to the Qualifying Policyholders on or before February 28, 2026.
- e. Any restitution checks that are returned to Homeowners with an address correction must be promptly resent to the correct address. Funds from any restitution checks that are returned thereafter for incorrect addresses and from checks that are not negotiated must be delivered to the comptroller pursuant to the procedures set forth in TEX. PROP CODE §§ 72.001 *et. seq.*, 73.001 *et. seq.*, and 74.001 *et. seq.*
- f. On or before March 31, 2026, Homeowners must report the restitution paid to the Qualifying Policyholders by submitting a complete and sortable electronic spreadsheet to the department. The spreadsheet must contain the following information:

2026-9808

Commissioner's Order
Homeowners of America Insurance Company
Page 4 of 5

- i. policy number;
- ii. policyholder name;
- iii. policyholder address;
- iv. effective date of the policy;
- v. expiration date of the policy;
- vi. amount of Overcharge;
- vii. dollar amount of simple interest;
- viii. amount of Overcharge and interest;
- ix. date(s) of mailing of restitution check or credits;
- x. the total sum of all Overcharges;
- xi. the total sum of all simple interest; and,
- xii. the total sum of all restitution paid (total Overcharges plus the total of the simple interest).

- g. Homeowners must send all submissions required under the terms of this order by email to: EnforcementReports@tdi.texas.gov.

Signed by:

Amanda Crawford

5E1BF002B5BD482...

Amanda Crawford
Commissioner of Insurance

Recommended and reviewed by:

Leah Gillum

Leah Gillum, Deputy Commissioner
Fraud and Enforcement Division

Sydney Rosales

Sydney Rosales, Staff Attorney
Enforcement

2026-9808

Commissioner's Order
Homeowners of America Insurance Company
Page 5 of 5

Affidavit

STATE OF Texas §

§

COUNTY OF Tarrant §

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

"My name is Efram Ware . 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
Homeowners of America Insurance Company. I am duly authorized by said organization
to execute this statement.

Homeowners of America Insurance Company 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 February 12, , 2026.

Notarized online using audio-video communication



Martha Spahr
Signature of Notary Public

Martha Spahr
Printed Name of Notary Public