

No. 2020-6549

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

Date: 11/09/2020

Subject Considered:

Wellington Risk Insurance Agency, Inc
PO BOX 230
Fort Worth, TX 76101-0230

Consent Order
TDI Enforcement File No. 25950

General remarks and official action taken:

This is a consent order with Wellington Risk Insurance Agency, Inc. Wellington Risk Insurance Agency, Inc failed to timely file surplus lines policies and related documents. Wellington Risk Insurance Agency, Inc has agreed to pay a \$4,075 administrative penalty for these violations.

Waiver

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

Findings of Fact

1. Wellington Risk Insurance Agency, Inc, organization identification number 4949, holds a surplus lines license issued by the Texas Department of Insurance.

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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.

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 2019, Wellington Risk Insurance Agency, Inc filed surplus lines policies late.

Conclusions of Law

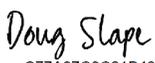
1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, and 981.105.
2. The commissioner of insurance has authority to informally dispose of this matter under TEX. INS. CODE § 82.055, TEX. GOV'T CODE § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.
3. Wellington Risk Insurance Agency, Inc 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. Wellington Risk Insurance Agency, Inc violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

Order

It is ordered that Wellington Risk Insurance Agency, Inc must pay an administrative penalty of \$4,075. The administrative penalty must be paid within 30 days from the date of this order. The administrative penalty must be paid by cashier's check or money order made payable to the "State of Texas." Mail the administrative penalty to the Texas Department of Insurance, Attn: Enforcement Division, Division 60851, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.

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Commissioner of Insurance

DocuSigned by:

By: C77A87C8C21B435...
Doug Slape
Chief Deputy Commissioner
TEX. GOV'T CODE § 601.002
Commissioner's Order No. 2018-5528

Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Enforcement Division



Nancy Williams, Attorney
Enforcement Division

