

No. 2023-8116

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

**Date:** 8/7/2023

**Subject Considered:**

Kristina Boone

[REDACTED]  
Katy, TX 77449

Default Order  
SOAH Docket No. 454-23-22455  
TDI Enforcement File No. 31447

**General remarks and official action taken:**

The subject of this default order is whether a general lines property and casualty agent license should be issued to Kristina Boone (Respondent). Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance. This order denies Respondent's license application.

The following findings of fact and conclusions of law are adopted:

**Findings of Fact**

Failure to Respond to Notice of Hearing

1. On June 30, 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.

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Commissioner's Order

Kristina Boone

SOAH Docket No. 454-23-22455

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3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, [REDACTED] Katy, TX 77449.
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, 4005.102, 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. The department provided proper notice of the hearing under TEX. GOV'T CODE §§ 2001.051, 2001.052, 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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Commissioner's Order


Kristina Boone

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## Order

It is ordered that Kristina Boone's application is denied. 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:  
  
FC5D7EDDFFB4F8...

\_\_\_\_\_  
Cassie Brown  
Commissioner of Insurance

Prepared and reviewed by:

*/s/Erik Huhn*

\_\_\_\_\_  
Erik Huhn, Staff Attorney  
Enforcement

# 2023-8116

Commissioner's Order  
Kristina Boone  
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## 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 Kristina Boone. I have confirmed that:

- a. The last mailing address provided to the department in writing by Kristina Boone is [REDACTED], Katy, TX 77449.
- b. The file maintained by Enforcement contains a Notice of Hearing and Original Petition dated June 30, 2023, which were filed with the State Office of Administrative Hearings.
- c. On June 30, 2023, the Notice of Hearing and Original Petition addressed to Kristina Boone were mailed first-class and certified, return receipt requested, to her 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:  
  
40ADFEF039D640C...  
Affiant

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Commissioner's Order

Kristina Boone

SOAH Docket No. 454-23-22455

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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 7/20/2023. This notarial act was an online notarization.

## Notary Seal



## Digital Certificate

DocuSigned by:  
*Mary Ruiz*  
795DC4D59167489...  
Notary Public State of Texas

FILED **2023-8116**  
454-23-22455  
6/30/2023 11:11 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Crystal Rosas, CLERK

ACCEPTED  
454-23-22455  
6/30/2023 11:19:35 am  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Crystal Rosas, CLERK

**SOAH DOCKET NO. 454-23-22455**  
**TDI ENFORCEMENT FILE NO. 31447**

**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

**v.**

**OF**

**KRISTINA BOONE,**

**ADMINISTRATIVE HEARINGS**

**Respondent**

**NOTICE OF HEARING**

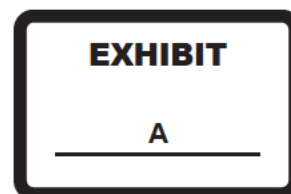
The Texas Department of Insurance seeks to deny your license application. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **November 14, 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](http://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.**



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Notice of Hearing

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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 DENIAL OF YOUR LICENSE APPLICATION, 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 DENIAL OF YOUR LICENSE APPLICATION, 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](http://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](mailto:chiefclerk@tdi.texas.gov); and
  
- (3) *(by mail, fax, or email)*  
Erik Huhn, Staff Attorney  
Texas Department of Insurance  
Enforcement, MC ENF

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Notice of Hearing

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P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 490-1020 (Fax)  
Erik.Huhn@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](http://www.soah.texas.gov).

A request to receive SOAH-issued documents by email does not 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.**



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Notice of Hearing

Kristina Boone

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

Respectfully Submitted,

*/s/Erik Huhn*

---

Erik Huhn  
State Bar No. 24132806  
Texas Department of Insurance  
Enforcement, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 676-6355 (Direct)  
(512) 490-1020 (Fax)  
Erik.Huhn@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

**2023-8116**

Notice of Hearing

Kristina Boone

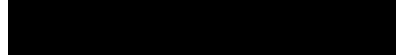
SOAH Docket No. 454-23-22455

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**CERTIFICATE OF SERVICE**

I, Erik Huhn, 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 30<sup>th</sup> day of June, 2023 to:

Kristina Boone



Katy, TX 77449

*Respondent Pro Se*

*Via CM/RRR: 9214 8901 9403 8321 1113 64*

*/s/Erik Huhn*

---

Erik Huhn

**2023-8116**

SOAH Docket No. 454-23-22455

FILED  
454-23-22455  
6/28/2023 3:23 PM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
April Bermea , CLERK

**SOAH DOCKET NO. 454-\_\_\_\_\_**  
**TDI ENFORCEMENT FILE NO. 31447**

ACCEPTED  
454-23-22455  
6/28/2023 4:46:08 pm  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
April Bermea , CLERK

**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

**v.**

**OF**

**KRISTINA BOONE,**

**ADMINISTRATIVE HEARINGS**

**Respondent**

**ORIGINAL PETITION**

The Texas Department of Insurance (TDI) seeks to deny Kristina Boone’s license application. In support of this petition, TDI makes the following allegations upon information and belief:

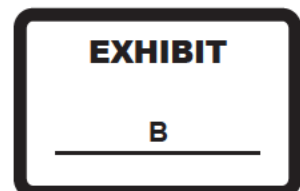
**Jurisdiction**

The Commissioner of Insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, 4051.051; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502; and TEX. GOV’T CODE §§ 2001.051-2001.178.

**Factual Allegations**

License Application

1. On June 6, 2022, Boone applied for a general lines property and casualty agent license.
2. When asked if she had ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony, Boone answered “No.”
3. On November 15, 2022, TDI sent a proposed summary denial letter to Boone denying her application based on her criminal history. On February 10, 2023, TDI acknowledged receipt of Boone’s request for a hearing on the denial.



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Original Petition

Kristina Boone

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## Criminal History

### *Case No. 1201145 – Engaging in Organized Criminal Activity*

4. On September 10, 2009, Boone pleaded guilty to Engaging in Organized Criminal Activity, a first degree felony, in the 184<sup>th</sup> District Court of Harris County, Texas. The court placed Boone on deferred adjudication community supervision for 10 years and ordered her to pay \$18,479 in restitution.
5. On September 10, 2019, Boone was unsatisfactorily discharged from community supervision.

### *Case No. 153906701010 – Assault-Bodily Injury*

6. On March 31, 2017, while on community supervision for the above offense, Boone was convicted of Assault-Bodily Injury, a class A misdemeanor, in the 184<sup>th</sup> District Court of Harris County. The court sentenced Boone to 30 days in county jail.

### *Cause No. 248212 – Theft Property >=\$100<\$750*

7. On October 7, 2021, Boone pleaded guilty of Theft of Property >=\$100<\$750, a class B misdemeanor, in the County Court at Law No. 2 of Brazoria County. The court placed Boone on deferred adjudication community supervision for a period of 12 months, fined her \$300, and ordered her to complete 40 hours of community service.
8. On October 11, 2022, Boone was discharged from community supervision.

## **Legal Allegations**

1. Pursuant to TEX. OCC. CODE § 53.021(d)(1)(B)(i) and (d)(2)(A)-(B), TDI may consider Case No. 1201145 and Cause No. 248212 to be convictions.
2. TDI may deny Boone's license application because she has been convicted of an offense that directly relates to the duties and responsibilities of the licensed occupation, as contemplated by TEX. OCC. CODE § 53.021(a)(1) and 28 TEX. ADMIN. CODE § 1.502(d).

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Original Petition

Kristina Boone

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3. TDI may deny Boone's license application because she has committed an offense of such serious nature that it is of prime importance in determining fitness of licensure, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(4)(F).
4. TDI may deny Boone's license application because she intentionally made a material misstatement on her license application, as contemplated by TEX. INS. CODE § 4005.102(b)(2).
5. TDI may deny Boone's license application because she attempted to obtain a license by fraud or misrepresentation, as contemplated by TEX. INS. CODE § 4005.102(b)(3).
6. The factors listed in 28 TEX. ADMIN. CODE § 1.502(h) do not outweigh the serious nature of Boone's criminal history, as 28 TEX. ADMIN. CODE § 1.502(f) contemplates.

## **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:

1. denying Kristina Boone's license application, and
2. granting any other just and appropriate relief to which TDI may be entitled to by law.

**2023-8116**

Original Petition

Kristina Boone

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Respectfully Submitted,

*/s/Erik Huhn*

---

Erik Huhn

State Bar No. 24132806

Texas Department of Insurance

Enforcement, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6355 (Direct)

(512) 490-1020 (Fax)

Erik.Huhn@tdi.texas.gov

ATTORNEY FOR THE PETITIONER

TEXAS DEPARTMENT OF INSURANCE

**2023-8116**

**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 Erik Huhn  
Bar No. 24132806  
Enforcementgeneral@tdi.texas.gov  
Envelope ID: 77060612  
Filing Code Description: Request to Docket  
Filing Description: Docket Request 31447  
Status as of 6/28/2023 4:49 PM CST

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	6/28/2023 3:23:20 PM	SENT

Associated Case Party: TDI

Name	BarNumber	Email	TimestampSubmitted	Status
Erik Huhn		Erik.Huhn@tdi.texas.gov	6/28/2023 3:23:20 PM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	6/28/2023 3:23:20 PM	SENT
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	6/28/2023 3:23:20 PM	SENT

Associated Case Party: Kristina Boone

Name	BarNumber	Email	TimestampSubmitted	Status
Kristina Boone		[REDACTED]	6/28/2023 3:23:20 PM	SENT

# 2023-8116

## 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 Erik Huhn  
Bar No. 24132806  
Enforcementgeneral@tdi.texas.gov  
Envelope ID: 77130201  
Filing Code Description: Notice of Hearing  
Filing Description: NOH\_OP\_31447  
Status as of 6/30/2023 11:20 AM CST

Associated Case Party: TDI

Name	BarNumber	Email	TimestampSubmitted	Status
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	6/30/2023 11:11:24 AM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	6/30/2023 11:11:24 AM	SENT
Erik Huhn		Erik.Huhn@tdi.texas.gov	6/30/2023 11:11:24 AM	SENT
Jodie Delgado		jodie.delgado@tdi.texas.gov	6/30/2023 11:11:24 AM	SENT
Leah Gillum		Leah.Gillum@tdi.texas.gov	6/30/2023 11:11:24 AM	SENT

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	6/30/2023 11:11:24 AM	SENT

Associated Case Party: Kristina Boone

Name	BarNumber	Email	TimestampSubmitted	Status
Kristina Boone		[REDACTED]	6/30/2023 11:11:24 AM	SENT



Firm Mailing Book For Accountable Mail

**name and address of sender**  
 Texas Dept of Insurance  
 Mail Code ENF  
 1601 Congress Avenue, Suite 6.900  
 Austin TX 78711  
 Roxanne Rodriguez  
 June 30, 2023

ENF

- Check type of mail or service
- Adult Signature Restricted Delivery
  - Certified Mail
  - Collect on Delivery (COD)
  - Insured Mail
  - Priority Mail
  - Priority Mail Express
  - Registered Mail
  - Return Receipt for Merchandise
  - Signature Confirmation
  - Signature Confirmation Restricted Delivery

USPS Tracking/Article Number

Huhn/31447

Address (Name, Street, City, State, & Zip Code)

Kristina Boone  
 Katy, TX 77449

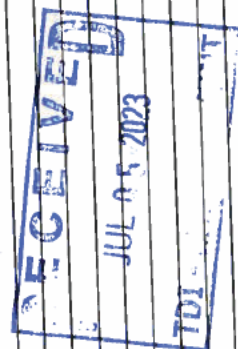
Postage

**Affix Stamp Here**  
 (if issued as an international certificate of mailing or for additional copies of this receipt). Postmark with Date of Receipt

Handling Charge	Actual Value if Registered	Insured Value	Postage (Extra Service) Fee	ASRD Fee	ASR Fee	RD Fee	RR Fee	SC Fee	SPRD Fee	SH Fee
and over \$50,000 in value										

and over \$50,000 in value

US POSTAGE \$001.85  
 ZIP 78701  
 OFFICIAL BUSINESS  
 PENALTY FOR PRIVATE USE  
 STATE OF TEXAS



Handwritten signature

**EXHIBIT**  
 C

2023-8116



A. Mailer Action

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: 06/30/2023

Shipped From:

Name: ENF R RODRIGUEZ

Address: 1601 CONGRESS AVE

City: AUSTIN

State: TX ZIP+4® 78701

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

\*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:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. 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



9275 0901 1935 6200 0045 4540 65

Huhn/31447





Name and Address of Sender

ENF R. RODRIGUEZ  
1601 CONGRESS AVE  
STE 6.900  
AUSTIN TX 78701

Check type of mail or service

- Adult Signature Required
- Adult Signature Restricted Delivery
- Certified Mail
- Certified Mail Restricted Delivery
- Collect on Delivery (COD)
- Insured Mail
- Priority Mail
- Priority Mail Express
- Registered Mail
- Return Receipt for Merchandise
- Signature Confirmation
- Signature Confirmation Restricted Delivery

Addressee (Name, Street, City, State, & ZIP Code™)

KRISTINA BOONE  
[REDACTED]  
KATY, TX 77449

USPS Tracking/Article Number

9214 8901 9403 8321 1113 64

Huhn/31447

Affix Stamp Here  
(for additional copies of this receipt).  
Postmark with Date of Receipt.

Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASRD Fee	RD Fee	R/F Fee	SC Fee	SCRD Fee	SH Fee
1.74	4.15	Handling Charge - If Registered and over \$50,000 in value						2.10			
						Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery
											Special Handling



**EXHIBIT**  
D

Postmaster, Per (Name of receiving employee)

[Signature]

Complete in Ink

Privacy Notice: For more information on USPS privacy policies, visit [usps.com/privacypolicy](https://usps.com/privacypolicy).

Total Number of Pieces Received at Post Office