

No. 2023-8228

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

Date: 9/21/2023

Subject Considered:

Sabino Damian Sanchez

[REDACTED]
Louise, TX 77455

Default Order
SOAH Docket No. 454-23-25740
TDI Enforcement File No. 31213

General remarks and official action taken:

This is a default order taken against Sabino Damian Sanchez (Respondent) because he submitted fictitious documents to insurance companies and effectuated numerous personal policies without paying premiums on those 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 August 18, 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.

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3. TDI sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, [REDACTED], Louise, TX 77455. 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

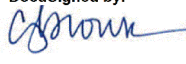
1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101-4005.105, 4051.051 and 5054.051; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has authority to dispose of this case informally under TEX. GOV'T CODE § 2001.056; TEX. INS. 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.

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Order

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

DocuSigned by:

FC5D7EDDFFB4F8...

Cassie Brown
Commissioner of Insurance

Prepared and reviewed by:



Nancy Williams, Staff Attorney
Enforcement

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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 Sabino Damian Sanchez. I have confirmed that:

- a. The last mailing address provided to the department in writing by Sabino Damian Sanchez is [REDACTED], Louise, TX 77455.
- b. The file maintained by Enforcement contains a Notice of Hearing and Original Petition dated August 18, 2023, which were filed with the State Office of Administrative Hearings.
- c. On August 18, 2023, the Notice of Hearing and Original Petition addressed to Sabino Damian Sanchez 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:

6ABE57BA0A78464...
Affiant

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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 9/18/2023. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:
Mary Ruiz
795DC4D59167489...

Notary Public State of Texas

FILED **2023-8228**
454-23-25740
8/18/2023 8:20 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

ACCEPTED
454-23-25740
8/18/2023 8:22:25 am
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

SOAH DOCKET NO. 454-23-25740.C
TDI ENFORCEMENT FILE NO. 31213

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

v.

OF

SABINO DAMIAN SANCHEZ,

ADMINISTRATIVE HEARINGS

Respondent

NOTICE OF HEARING

The Texas Department of Insurance 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 the Department.

A public hearing will be held before an Administrative Law Judge on **January 23, 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.

EXHIBIT

A

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Notice of Hearing

Sabino Damian Sanchez

SOAH Docket No. 454-23-25740.C

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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 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)*
Nancy Williams, Staff Attorney

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Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
nancy.williams@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 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

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

Respectfully Submitted,



Nancy Williams

State Bar No. 24058175

Texas Department of Insurance

Enforcement, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6338 (Direct)

(512) 490-1020 (Fax)

nancy.williams@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

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CERTIFICATE OF SERVICE

I, Nancy Williams, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by regular mail and by certified mail, return receipt requested, on this 18th day of August, 2023 to:

Sabino Damian Sanchez

[REDACTED]

Louise, TX 77455

Respondent Pro Se

Via CM/RRR No.: 9214 8901 9403 8327 0007 30

Via Email: [REDACTED]



Nancy Williams

2023-8228

FILED
454-23-25740
8/15/2023 12:27 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

SOAH DOCKET No. 454-23-25740

SOAH DOCKET NO. 454-23 _____
TDI ENFORCEMENT FILE NO. 31213

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

SABINO DAMIAN SANCHEZ,

Respondent

BEFORE THE STATE OFFICE

ACCEPTED
454-23-25740
8/15/2023 5:04:30 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

OF

ADMINISTRATIVE HEARINGS

ORIGINAL PETITION

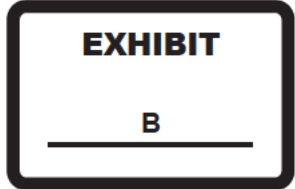
The Texas Department of Insurance seeks to take disciplinary action against Sabino Damian Sanchez. In support of this petition, the department makes the following allegations upon information and belief:

Jurisdiction

The Commissioner of Insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, 4051.051, 4054.051, and TEX. GOV'T CODE §§ 2001.051-2001.178.

Factual Allegations

1. Sabino Damian Sanchez (Sanchez), individual identification number 1697449, holds a general lines agent license with a qualification in property and casualty issued on December 21, 2016, and a qualification in life, accident, health, and HMO issued on October 1, 2018.
2. Sanchez was appointed as a retail agent for Farmers Insurance Companies (Farmers) in July 2020.
3. In June 2022, Farmers conducted a review of Sanchez's business records and underwriters found multiple concerns including suspicious documents used to show proof of prior insurance, suspicious documents used to support homeownership discounts, unqualified teacher discounts, suspicious information



supporting inactive driver discounts, and at least one unlicensed employee conducting the business of insurance.

4. Following the review of Sanchez's business records, Farmers conducted an investigation which found that Sanchez submitted altered or fictitious documents to Farmers to obtain discounts on numerous policies and that Sanchez had at least eight canceled personal Farmers insurance policies in which he owed \$19,441 in earned premiums.

Submission of Altered or Fictitious Documents to Show Proof of Prior Insurance

5. Between January 2021 and May 2022, Sanchez's agency uploaded 16 altered or fictitious documents indicating proof of prior insurance to Farmers. Nine of the documents were submitted by Sanchez, four were submitted by Sanchez's non licensed employee, and three were submitted by a former employee.
6. All 16 of the documents purported that Geico was the former insurer. Geico is a company that subscribes to the same verification vendor used by Farmers, so disputes from this company are expected to be rare.
7. Eight of the documents indicated the same prior policy number for different insureds.
8. All of the documents were in the same format, with the insured's name in the center, and listing no phone number for Geico.

Submission of Altered or Fictitious Documents to Show Homeownership

9. Between January 2021 and May 2022, Sanchez's agency uploaded 25 altered or fictitious documents indicating proof of homeownership. Thirteen of the documents were uploaded by Sanchez and 12 were uploaded by his unlicensed employee.
10. Nine of the documents have the same property account number and address. The additional 16 documents have account numbers that are different from the appraisal district records.

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Sabino Damian Sanchez
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11. All of the documents were altered from the actual appraisal document to show the insured's name instead of the actual property owner.

Sanchez's Personal Policies

12. Between May 2021 and June 2022, Sanchez had at least eight personal Farmers policies cancel due to nonpayment with \$19,441 in earned premiums due.

Additional Dishonest Conduct

13. Sixteen out of 24 educator discounts reviewed in Sanchez's records could not be confirmed as educators entitled to the discount.
14. Twenty-six inactive driver discounts reviewed in Sanchez's records indicated that 15 of them shared one of three names and seven were born on one of two dates with three more being born on the same date.
15. In an interview with Farmers, Sanchez denied any wrongdoing, indicating that he would need to review the documents in question and get back with the investigator. The investigator mailed a list of the policies requiring follow-up to Sanchez. Sanchez indicated that he was still working on the list and would have it done "ASAP". Farmers received no further response or information from Sanchez.

Legal Allegations

1. Sanchez committed acts for which a license holder may be disciplined under TEX. INS. CODE § 4005.101, as contemplated by TEX. INS. CODE § 4005.102.
2. Sanchez engaged in fraudulent or dishonest acts or practices in violation of TEX. INS. CODE § 4005.101(b)(5).

Relief Sought

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

1. revoking Sabino Damian Sanchez's license; and

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Original Petition
Sabino Damian Sanchez
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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,



Nancy Williams
State Bar No. 24058175
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6338 (Direct)
(512) 490-1020 (Fax)
nancy.williams@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

2023-8228

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 Nancy Williams
Bar No. 24058175
Enforcementgeneral@tdi.texas.gov
Envelope ID: 78543209
Filing Code Description: Request to Docket
Filing Description: Request to Docket Sanchez
Status as of 8/15/2023 5:05 PM CST

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	8/15/2023 12:27:12 PM	SENT

Associated Case Party: TDI

Name	BarNumber	Email	TimestampSubmitted	Status
Nancy Williams		Nancy.Williams@tdi.texas.gov	8/15/2023 12:27:12 PM	SENT
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	8/15/2023 12:27:12 PM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	8/15/2023 12:27:12 PM	SENT

Associated Case Party: Sabino Damian Sanchez

Name	BarNumber	Email	TimestampSubmitted	Status
Sabino DamianSanchez		[REDACTED]	8/15/2023 12:27:12 PM	SENT

2023-8228

Automated Certificate of eService

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing 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 Nancy Williams
Bar No. 24058175
Enforcementgeneral@tdi.texas.gov
Envelope ID: 78667690
Filing Code Description: Notice of Hearing
Filing Description: Notice of Hearing and Original Petition
Status as of 8/18/2023 8:22 AM CST

Associated Case Party: TDI

Name	BarNumber	Email	TimestampSubmitted	Status
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	8/18/2023 8:20:31 AM	SENT
Nancy Williams		Nancy.Williams@tdi.texas.gov	8/18/2023 8:20:31 AM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	8/18/2023 8:20:31 AM	SENT
Leah Gillum		Leah.Gillum@tdi.texas.gov	8/18/2023 8:20:31 AM	SENT
Jodie Delgado		jodie.delgado@tdi.texas.gov	8/18/2023 8:20:31 AM	SENT

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	8/18/2023 8:20:31 AM	SENT

Associated Case Party: Sabino Damian Sanchez

Name	BarNumber	Email	TimestampSubmitted	Status
Sabino DamianSanchez		[REDACTED]	8/18/2023 8:20:31 AM	SENT

Name and Address of Sender

Texas Dept of Insurance
 Mail Code ENF
 1601 Congress Avenue, Suite 6.900
 Austin TX 78711
 Mary Ruiz
 August 18, 2023

- 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
 - First-Class Mail
 - Priority Mail Express
 - Registered Mail
 - Return Receipt for Merchandise
 - Signature Confirmation
 - Signature Confirmation Restricted Delivery

2023-8228

USPS Tracking/Article Number	Address (Name, Street, City, State, & Zip Code)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	Special Handling
Williams/31213	SA [Redacted] Z [Redacted]			Handling Charge--If Registered and over \$50,000 in value				Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of receiving employee)												

PS Form 3877, June 2015 Completed in Ink

Privacy Note: For more information on USPS privacy policies, visit usps.com/privacy policy.



2023-8228



Shipment Confirmation Acceptance Notice

A. Mailer Action

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: 08/18/2023

Shipped From:

Name: MC ENF M RUIZ

Address: 1601 CONGRESS AVENUE SUITE 6 900

City: AUSTIN

State: TX ZIP+4® 78711

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

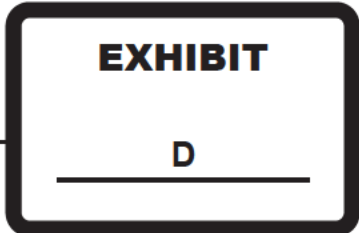
USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0046 5213 60

WILLIAMS/31213





Firm Mailing Book For Accountable Mail

Name and Address of Sender

MC ENF M RUIZ
TEXAS DEPARTMENT OF INSURANCE
1601 CONGRESS AVENUE, SUITE 6.900
AUSTIN TX 78711

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

USPS Tracking/Article Number

1. 9214 8901 9403 8327 0007 30

WILLIAMS/31213

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

SABINO DAMIAN SANCHEZ

LOUISE, TX 77455

Affix Stamp Here

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

2023-82228

Table with columns: Postage, (Extra Service) Fee, Handling Charge, Actual Value if Registered, Insured Value, Due Sender if COD, ASR Fee, ASRD Fee, RD Fee, RR Fee, SC Fee, ICRD Fee, SH Fee

Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee)