

No. 2020-6298

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

Date: MAR 25 2020

**Subject Considered:**

Gladis Beltran Hernandez

  
Spring, Texas 77379

Default Order  
SOAH Docket No. 454-20-2183.C  
TDI Enforcement File No. 17583

**General remarks and official action taken:**

This is a default order taken against Gladis Beltran Hernandez ("Respondent") because Respondent failed to register the assumed name of her insurance agency and she misappropriated, converted, or illegally withheld money belonging to insurers. Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance. 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 January 23, 2020, 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.

3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, [REDACTED] [REDACTED] Spring, Texas 77379. The Notice of Hearing and Original Petition were also sent to the following five additional addresses, as well as an email address associated with Respondent, [REDACTED]

[REDACTED], [REDACTED] TX 77014  
[REDACTED], TX 77386  
[REDACTED], TX 77386  
[REDACTED], Spring, TX 77373-5099  
[REDACTED] 77386-1349

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 and emailed.

**Conclusions of Law**

1. The commissioner has jurisdiction pursuant to Texas law, including TEX. INS. CODE §§ 82.051-82.055, 912.251, 4001.002, 4005.101, 4005.102, and 4051.201, and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has authority to dispose of this case informally pursuant to 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 pursuant to 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, the department is entitled to disposition by default pursuant to 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 pursuant to 28 TEX. ADMIN. CODE § 1.89.

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Gladis Beltran Hernandez  
SOAH Docket No. 454-20-2183.C  
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**Order**

It is ordered that Gladis Beltran Hernandez's county mutual agent license is revoked. A copy of this order will be provided to law enforcement and/or other appropriate administrative agencies for further investigation as may be warranted.

Kent C. Sullivan  
Commissioner of Insurance

By: \_\_\_\_\_

  
Doug Slape  
Chief Deputy Commissioner  
Commissioner's Order No. 2018-5528

Prepared and reviewed by:

  
Anna Kalapach, Staff Attorney  
Enforcement Division

**Affidavit**

**STATE OF TEXAS**           §  
  §  
**COUNTY OF TRAVIS**       §

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

"My name is Mary Ruiz 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 Gladis Beltran Hernandez. I have confirmed that:


- a. The last mailing address provided to the department in writing by Gladis Beltran Hernandez is [REDACTED], Texas 77379.
- b. The file maintained by the Enforcement Division contains a Notice of Hearing and Original Petition dated January 23, 2020, which were filed with the State Office of Administrative Hearings.
- c. On January 23, 2020, the Notice of Hearing and Original Petition addressed to Gladis Beltran Hernandez were emailed to [REDACTED] and also mailed first-class and certified, return receipt requested, to her last known address and the following five additional addresses:

- [REDACTED], TX 77014
- [REDACTED], TX 77386
- [REDACTED], TX 77386
- [REDACTED], TX 77373-5099
- [REDACTED], TX 77386-1349

Copies of the first-class mail log and certified mail log maintained by the Enforcement Section are attached as Exhibit C and Exhibit D, respectively."


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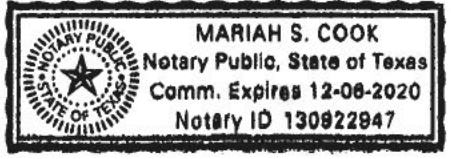
Commissioner's Order  
Gladis Beltran Hernandez  
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\_\_\_\_\_  
Affiant

SWORN TO AND SUBSCRIBED before me on February 21, 2020.

(NOTARY SEAL)

  
\_\_\_\_\_  
Signature of Notary Public



MARIAH COOK  
\_\_\_\_\_  
Printed Name of Notary Public

SOAH DOCKET NO. 454-20-2183.C  
TDI ENFORCEMENT FILE NO. 17583

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

GLADIS BELTRAN HERNANDEZ,

Respondent

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

**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 **Monday, April 20, 2020, at 9:00 a.m.** The hearing will take place at the State Office of Administrative Hearings, located in the William P. Clements Building, 300 W. 15th Street, 4th Floor, Austin, Texas, 78701.

The hearing shall be conducted pursuant to 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 PURSUANT TO 1 TEX. ADMIN. CODE § 155.501 AND 28 TEX. ADMIN. CODE §§ 1.88 AND 1.89.**



Notice of Hearing  
Gladis Beltran Hernandez  
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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, 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, 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) 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);
- (2) Chief Clerk  
Texas Department of Insurance  
P.O. Box 149104, MC112-2A  
Austin, Texas 78714-9104  
(512) 490-1064 (Fax)  
chiefclerk@tdi.texas.gov; and
- (3) Anna Kalapach, Staff Attorney  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104  
Austin, Texas 78714-9104  
(512) 490-1020 (Fax)  
anna.kalapach@tdi.texas.gov

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Gladis Beltran Hernandez  
SOAH Docket No. 454-20-2183.C  
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### **Receiving Documents**

The State Office of Administrative Hearings (SOAH) offers you the ability to receive service of orders and other documents issued by SOAH through email instead of by mail or fax. If you want to receive SOAH-issued documents by email, go to SOAH's website, [www.soah.texas.gov](http://www.soah.texas.gov), click on the "E-Services" tab, then click the "Email Service" hyperlink, and follow the instructions.

NOTE: A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents with SOAH. The rules for filing documents and providing copies to all other parties in the case are described in SOAH's Procedural Rules, which are available on SOAH's website. Click the "Agency" tab, then click "Administrative Rules and Laws" to view SOAH's Procedural Rules.

### **Important Security Notice**

**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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Gladis Beltran Hernandez  
SOAH Docket No. 454-20-2183.C  
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If you have any questions, please contact me at the address or telephone number shown below.

Respectfully Submitted,



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Anna Kalapach  
State Bar No. 24083290  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104  
Austin, Texas 78714-9104  
(512) 676-6326 (Direct)  
(512) 490-1020 (Fax)  
anna.kalapach@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

cc: Leah Gillum, Deputy Commissioner, Enforcement Division, MC-110-1A  
Rachel Cloyd, Litigation Director, Enforcement Division, MC-110-1A  
Administrative Review, MC107-1A

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**CERTIFICATE OF SERVICE**

I, Anna Kalapach, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by first-class mail and by certified mail, return receipt requested, on this 23rd day of January, 2020 to:

Gladis Beltran Hernandez  
[REDACTED]  
Houston, TX 77014  
*Respondent Pro Se*

*Via CM/RRR No.:*  
9214 8901 9403 8304 7213 06  
*Via email at:*  
[REDACTED]

[REDACTED]  
Spring, TX 77379

*Via CM/RRR No.:*  
9214 8901 9403 8304 7213 51

[REDACTED]  
Spring, TX 77386

*Via CM/RRR No.:*  
9214 8901 9403 8304 7213 75

[REDACTED]  
Spring, TX 77386

*Via CM/RRR No.:*  
9214 8901 9403 8304 7216 10

[REDACTED]  
Spring, TX 77373-5099

*Via CM/RRR No.:*  
9214 8901 9403 8304 7216 65

[REDACTED]  
Spring, TX 77386-1349

*Via CM/RRR No.:*  
9214 8901 9403 8304 7217 19

*A Kalapach*

\_\_\_\_\_  
Anna Kalapach

**SOAH DOCKET NO. 454-20-2183.C**  
**TDI ENFORCEMENT FILE NO. 17583**

**TEXAS DEPARTMENT OF INSURANCE,**

**Petitioner**

**v.**

**GLADIS BELTRAN HERNANDEZ,**

**Respondent**

**BEFORE THE STATE OFFICE**

**OF**

**ADMINISTRATIVE HEARINGS**

**ORIGINAL PETITION**

The Texas Department of Insurance seeks to take disciplinary action against Gladis Beltran Hernandez ("Respondent"). 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 pursuant to TEX. INS. CODE §§ 82.051-82.055, 912.251, 4001.002, 4005.101, 4005.102, and 4051.201, and TEX. GOV'T CODE §§ 2001.051-2001.178.

**Factual Allegations**

Licensure

1. Gladis Beltran Hernandez ("Respondent") was issued a county mutual agent license by the Department on March 9, 2009.
2. Respondent is formerly known as Gladis Catalina Licon and notified the Department of her name change on June 22, 2012.

Unregistered Assumed Name

3. Respondent, under her former name, registered an assumed name in Montgomery County, Texas, for "Servicios Latinos" in 2006 and again in 2014 to provide insurance and income tax services.



4. On or about May 1, 2013, Respondent began working for Select General Agency, LLC ("Select"), a licensed managing general agency which writes insurance for Old American County Mutual Fire Insurance Company. Documents submitted to Select under her former name identified "Servicios Latinos" as the assumed name for her insurance agency, although the name was not registered with the Department.
5. Respondent has not filed an assumed name registration for "Servicios Latinos" with the Department, as required by 28 TEX. ADMIN. CODE § 19.902(a).

Misappropriation, Conversion, or Illegal Withholding of Money Belonging to Insurer

6. An audit conducted by Select identified \$89,624.14 in customer premiums that Respondent collected but failed to pay Select between March 2014 and January 2017.
7. On May 16, 2017, a document titled "Agreed Judgment between Servicios Latinos & Select General Agency, LLC," (the "Agreement") was executed by Respondent and David W. Day, on behalf of the Select, wherein Respondent agreed to repay the entire amount of \$89,624.14 in monthly installments of \$9,958.24 beginning on May 30, 2017.
8. Respondent failed to make any payments to Select pursuant to the Agreement.
9. On June 26, 2017, Select filed a civil suit against Respondent in the E-101st District Court of Dallas County, Texas, as cause number DC-17-07582, captioned *Select General Agency, LLC v. Gladys Beltran Hernandez*.
10. On October 5, 2017, a Default Final Judgment was entered in cause number DC-17-07582 because the Respondent failed to answer or otherwise appear. The Default Final Judgment concluded that the Respondent was indebted to Select for \$99,624.14, plus other costs, interest, and attorneys' fees.
11. To date, the Respondent has failed to make any payments to Select.

**Legal Allegations**

1. Respondent misappropriated, converted to the Respondent's own use, or illegally withheld money belonging to an insurer, as contemplated by TEX. INS. CODE § 4005.101(b)(4).
2. Respondent engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5).
3. Respondent has willfully violated an insurance law of this state, as contemplated by TEX. INS. CODE § 4005.101(b)(1).
4. Respondent failed to register the assumed name of her insurance agency, as contemplated by 28 TEX. ADMIN. CODE §19.902(a).

**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 Respondent's license; and
2. any other just and appropriate relief to which the Department may be entitled to by law.

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Original Petition  
Gladis Beltran Hernandez  
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Respectfully Submitted,

*A Kalapach*

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Anna Kalapach  
State Bar No. 24083290  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104  
Austin, Texas 78714-9104  
(512) 676-6326 (Direct)  
(512) 490-1020 (Fax)  
anna.kalapach@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE





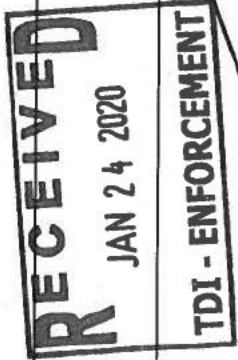
Firm Mailing Book For Accountable Mail

Name and Address of Sender
MC 110-1A M RUIZ
Texas Department of Insurance
333 Guadalupe St
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

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

Table with 13 columns: USPS Tracking/Article Number, Addressee (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, SH Fee. Contains 6 rows of data for Gladis Beltran Hernandez.



Total Number of Pieces Listed by Sender: 6
Total Number of Pieces Received at Post Office: 6
Postmaster, Per (Name of receiving employee): [Signature]



2020-6298



# 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: 01/23/2020

Shipped From:

Name: MC 110-1A M RUIZ

Address: 333 GUADALIPE ST

City: AUSTIN

State: TX ZIP+4® 78701

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	0
First-Class Package Service®	
Returns	
International*	
Other	6
Total	6

\*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:

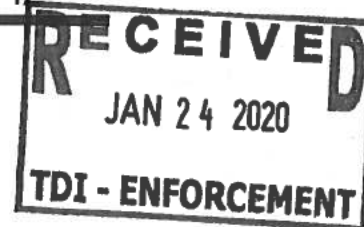
1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

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 0019 7583 42



ANNA/17583