

No. 2020-6500

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

**Date:** 09/30/2020

**Subject Considered:**

Qua McDaniel

[REDACTED]  
Plano, TX 75025-9015

Default Order  
SOAH Docket No. 454-21-0014  
TDI Enforcement File No. 16972

**General remarks and official action taken:**

The subject of this default order is whether a general lines property and casualty license should be issued to Qua McDaniel (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 September 2, 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], Plano,

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Commissioner's Order

Qua McDaniel

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TX 75025-9015. The Notice of Hearing and Original Petition were also sent to [REDACTED], Fort Worth, TX 76120.

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 pursuant to Texas law, including TEX. INS. CODE §§ 82.051-82.055, 101.153, 4001.002, 4001.102, 4001.105, 4005.101-4005.105, and 4051.051; 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 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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Commissioner's Order

Qua McDaniel

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## Order

It is ordered that Qua McDaniel's application for a general lines property and casualty license is denied. 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:   
C77A87C8C21B435...  
Doug Slape  
Chief Deputy Commissioner  
Commissioner's Order No. 2018-5528

Prepared and reviewed by:



Nancy Williams, Staff Attorney  
Enforcement Division

# 2020-6500

Commissioner's Order

Qua McDaniel

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## Affidavit

**STATE OF TEXAS** §

§

**COUNTY OF TRAVIS** §

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

"My name is David Morneo 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 Qua McDaniel. I have confirmed that:

- a. The last mailing address provided to the department in writing by Qua McDaniel is [REDACTED], TX 75025-9015
- b. The file maintained by the Enforcement Division contains a Notice of Hearing and Original Petition dated September 2, 2020, which were filed with the State Office of Administrative Hearings.
- c. On September 2, 2020, the Notice of Hearing and Original Petition addressed to Qua McDaniel were mailed certified, return receipt requested, to her last known address: [REDACTED] TX 75025-99015 and [REDACTED] Worth, TX 76120.

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A copy of the certified mail log maintained by the Enforcement Division is attached as Exhibit C.

DocuSigned by:

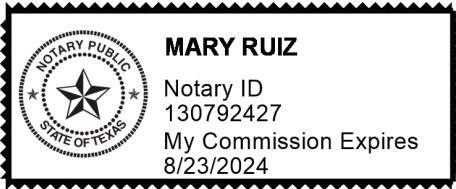
*David Moreno*

17E9FD52B9204ED...

Affiant

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 9/25/2020. This notarial act was an online notarization.

## Notary Seal



## Digital Certificate

DocuSigned by:

*Mary Ruiz*

795DC4D59167489...

Notary Public State of Texas

**2020-6500**

ACCEPTED  
454-21-0014  
9/2/2020 11:59 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Donnie Roland, CLERK

**SOAH DOCKET NO. 454-21-0014  
TDI ENFORCEMENT FILE NO. 16972**

FILED  
454-21-0014  
9/2/2020 11:53 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Donnie Roland, CLERK

**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

**v.**

**OF**

**QUA MCDANIEL  
a.k.a. QUASHAUNDRA  
WORTHINGTON,**

**ADMINISTRATIVE HEARINGS**

**Respondent**

**NOTICE OF HEARING**

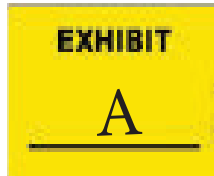
The Texas Department of Insurance seeks to deny your license application. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **Tuesday, December 1, 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**



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Notice of Hearing

Qua McDaniel

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**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.**

**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) 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) Nancy Williams, Staff Attorney  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104

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Notice of Hearing

Qua McDaniel

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Austin, Texas 78714-9104  
(512) 490-1020 (Fax)  
Nancy.Williams@tdi.texas.gov

### 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 "eFiling" 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.**

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



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Notice of Hearing

Qua McDaniel

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Respectfully Submitted,



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Nancy Williams

State Bar No. 24058175

Texas Department of Insurance

Enforcement Division, MC110-1A

P.O. Box 149104

Austin, Texas 78714-9104

(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, Enforcement Division, MC-110-1A  
Whitney Fraser, Litigation Director, Enforcement Division, MC-110-1A  
Administrative Review, MC107-1A

# 2020-6500

Notice of Hearing

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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 certified mail, return receipt requested, on this 2nd day of September 2020 to:

Qua McDaniel

[REDACTED]

Plano, TX 75025-9015

*Respondent Pro Se*

*Via CM/RRR No.:* 9214 8901 9403 8320 1648 73

Qua McDaniel

[REDACTED]

Fort Worth, TX 76120

*Respondent Pro Se*

*Via CM/RRR No.:* 9214 8901 9403 8320 1650 92



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Nancy Williams

2020-6500

FILED  
454-21-0014  
9/1/2020 3:30 PM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Donnie Roland, CLERK

FILED  
454-21-0014  
9/1/2020 3:23 PM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Donnie Roland, CLERK

**SOAH DOCKET NO. 454-454-21-0014**  
**TDI ENFORCEMENT FILE NO. 16972**

**TEXAS DEPARTMENT OF INSURANCE,**

**Petitioner**

**v.**

**QUA MCDANIEL  
a.k.a. QUASHAUNDRA  
WORTHINGTON,**

**Respondent**

**BEFORE THE STATE OFFICE**

**OF**

**ADMINISTRATIVE HEARINGS**

**ORIGINAL PETITION**

The Texas Department of Insurance seeks to deny Respondent's license application. 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, 4001.002, 4005.101, 4005.102, and 4051.151; TEX. GOV'T CODE §§ 2001.051-2001.178; 28 TEX. ADMIN. CODE § 1.502; and TEX. OCC. CODE §§ 53.021 – 53.023.

**Factual Allegations**

License Application

1. On February 9, 2018, Qua McDaniel (McDaniel) submitted an application for a general lines agent license with a property and casualty qualification to be issued by the Texas Department of Insurance (department). McDaniel is also known as Quashaundra Worthington.
2. The department proposed to deny McDaniel's application on July 19, 2018, based on her criminal history. The department received McDaniel's request for a hearing on August 16, 2018.



Upload Date: 202009010333502 Account Number: 4119 Upload Description: ab33020d-3f96-4968-9bdd-8ed2028e98c8-1-ENVV45885914

Criminal History

3. On December 18, 1995, McDaniel was convicted of three counts of forgery, two of which were felony offenses, in cause numbers 0544214, 0544290, and 0599677, in Criminal District Court Number 4 of Tarrant County, Texas. McDaniel was sentenced to 2 years confinement.
  
4. On January 22, 2002, McDaniel was convicted of forgery by possession of a check with intent to pass, a state jail felony, in cause number 0774365, in the 371st District Court of Tarrant County, Texas. McDaniel was sentenced to 8 months confinement.

**Legal Allegations**

1. McDaniel has been convicted of a felony offense as contemplated by TEX. INS. CODE § 4005.101(b)(8).
  
2. McDaniel has engaged in fraudulent or dishonest acts or practices, as contemplated by 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. denying Qua McDaniel's license application and
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,



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Nancy Williams  
State Bar No. 24058175  
Texas Department of Insurance  
Enforcement Division, MC110-1A

**2020-6500**

Original Petition

McDaniel

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P.O. Box 149104  
Austin, Texas 78714-9104  
(512) 676-6338 (Direct)  
(512) 490-1020 (Fax)  
Nancy.Williams@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE



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: 09/02/2020  
 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	2
Total	2

\*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 0023 9167 76

Williams/16972



EXHIBIT

C



**Firm Mailing Book For Accountable Mail** 2020-6500

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

USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge - if Registered and over \$50,000 in value	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1. 9214 8901 9403 8320 1648 73 Williams/16972	OLIA MCDANIEL [REDACTED] TX 75025-9015	1.40	3.55								1.70			
2. 9214 8901 9403 8320 1650 92	OLIA MCDANIEL [REDACTED] FORT WORTH TX 76120	1.40	3.55								1.70			

**RECEIVED**  
SEP 09 2020  
TDI - ENFORCEMENT

SEP 2 2020  
AUSTIN TX 78710  
SMILE WINDOW

Total Number of Pieces Listed by Sender: 2  
Total Number of Pieces Received at Post Office: 2

Postmaster Per (Name of receiving employee)

*[Signature]*