

No. **2020-6518**

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

Date: 10/27/2020

Subject Considered:

Arcana Insurance Services, LP
5310 Harvest Hill Rd Ste 200
Dallas, Texas 75230

Consent Order
TDI Enforcement File No. 25985

General remarks and official action taken:

This is a consent order with Arcana Insurance Services, LP. Arcana Insurance Services, LP failed to timely file surplus lines policies and related documents. Arcana Insurance Services, LP has agreed to pay an \$5,225 administrative penalty for these violations.

Waiver

Arcana Insurance Services, LP acknowledges that the Texas Insurance Code and other applicable law provide certain rights. Arcana Insurance Services, LP waives all of these rights, and any other applicable procedural rights, in consideration of the entry of this consent order.

Findings of Fact

1. Arcana Insurance Services, LP, organization identification number 8429841, 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, Arcana Insurance Services, LP filed surplus lines policies late.
4. In June 2020, TDI assessed fees against Arcana Insurance Services, LP because the late-filed surplus lines policies met at least one of the conditions in TEX. INS. CODE § 981.105(d-e).
5. Arcana Insurance Services, LP did not timely pay the fees assessed pursuant to TEX. INS. CODE § 981.105(c-e).
6. The commissioner previously disciplined Arcana Insurance Services, LP for violating TEX. INS. CODE § 981.105(a) in Official Order No. 2020-6252, entered on February 26, 2020.

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. Arcana Insurance Services, LP 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. Arcana Insurance Services, LP violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

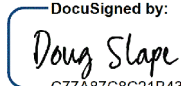
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Order

It is ordered that Arcana Insurance Services, LP must pay an administrative penalty of \$5,225. 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.

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



Mandy Meesey, Associate Commissioner
Enforcement Division

Affidavit

THE STATE OF TEXAS §
§
COUNTY OF DALLAS §

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

"My name is MARK A. GANNAWAY I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

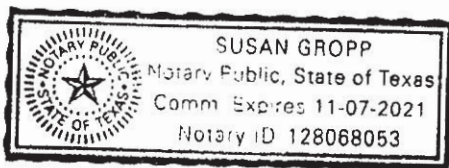
I hold the office of Chief Executive Officer and am the authorized representative of Arcana Insurance Services, LP. I am duly authorized by the organization to execute this statement.

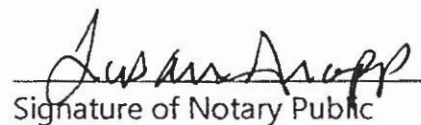
Arcana Insurance Services, LP has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas."


Affiant

SWORN TO AND SUBSCRIBED before me on Oct 20, 2020.

(NOTARY SEAL)




Signature of Notary Public

Susan Gropp
Printed Name of Notary Public