

No. 2023-7889

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

Date: 04/10/2023

Subject Considered:

Daisy Patricia Aceves

[REDACTED]
Katy, Texas 77494

Consent Order
TDI Enforcement File No. 25354

General remarks and official action taken:

This is a consent order with Daisy Patricia Aceves (Aceves). The department alleges that Aceves submitted altered prior insurance documentation to Farmers Insurance. Aceves agrees to pay an administrative penalty of \$5,000.

Waiver

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

Findings of Fact

Licensure and Background

1. Daisy Patricia Aceves (Aceves), individual identification number 694186, holds a general lines agent license with a life, accident, and health qualification and a property and casualty qualification issued by the department on July 14, 2006.

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2. Aceves owns and operates a small agency, Aceves Insurance Agency. Aceves registered her agency name with Harris County in 2006 and has since renewed that registration.

Fictitious Prior Insurance Documentation

3. From approximately July 2018, through July 2019, Aceves and an agent who worked for her submitted at least 22 altered prior insurance documents to Farmers Insurance (Farmers).
4. In 19 of those 22 instances, the prior carrier on the documentation was different from the carrier reported by the Current Carrier Database (CCDB). In 21 of the 22 instances, the coverage dates were different than what was reported by the CCDB.
5. Aceves states that the documents were provided to her by another employee, who was not licensed but was a part-time marketer and provided referrals for the agency. Aceves indicated that she would delegate the tasks of contacting customers and obtaining the required documentation to this employee instead of doing so herself.
6. Of the 22 impacted policies, 10 were written and submitted by Aceves' user identification. Nine of the policies were written and submitted by the other agent's user identification. The remaining three were written and submitted by a user identification that could not be identified.
7. The fraudulent prior insurance documents led to customers receiving coverage or discounts that they were not otherwise eligible to receive.
8. The agent who worked for Aceves surrendered her insurance license, and the unlicensed employee no longer works for Aceves. Aceves takes responsibility for her conduct and that of her employees and agrees to comply with all insurance laws in the future.

Conclusions of Law

1. The commissioner has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 84.021–84.044, 4001.002, 4005.101, 4005.102, 4051.051, and 4054.051.

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2. The commissioner has the authority to informally dispose of this matter as set forth in TEX. GOV'T CODE § 2001.056; TEX. INS. CODE §§ 36.104 and 82.055; and 28 TEX. ADMIN. CODE § 1.47.
3. Aceves has knowingly and voluntarily waived all procedural rights to which she 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. Aceves committed acts for which a license holder may be disciplined under TEX. INS. CODE § 4005.101, as contemplated by TEX. INS. CODE § 4005.102.
5. Aceves violated TEX. INS. CODE § 4005.101(b)(1) by willfully violating an insurance law of this State.
6. Aceves violated TEX. INS. CODE § 4005.101(b)(5) by engaging in fraudulent or dishonest acts or practices.

Order

It is ordered that Daisy Patricia Aceves pay an administrative penalty of \$5,000 within 60 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which the department will send after entry of this order.

DocuSigned by:

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Cassie Brown
Commissioner of Insurance

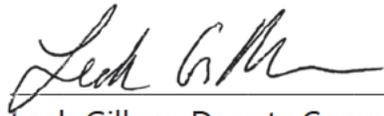
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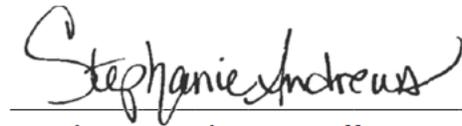
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Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Fraud and Enforcement Division



Stephanie Andrews, Attorney
Enforcement

Affidavit

STATE OF TEXAS §

§

COUNTY OF Harris §

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

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

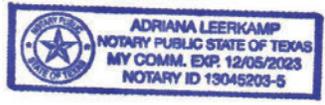
I have knowingly and voluntarily entered into the foregoing consent order and agree with and consent to the issuance and service of the same by the commissioner of insurance of the state of Texas."



Affiant

SWORN TO AND SUBSCRIBED before me on 3/29, 2023.

(NOTARY SEAL)





Signature of Notary Public

Adriana LeerKamp

Printed Name of Notary Public