

No. **4103**

**OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE**

Date: SEP 08 2015

Subject Considered:

ZENAIDA CORDERO
P.O. Box 1181
La Feria, TX 78559

DEFAULT ORDER

SOAH DOCKET NO. 454-15-4052.C
ENFORCEMENT FILE NO. 8432

General Remarks and Official Action Taken:

The commissioner of insurance considers whether disciplinary action should be taken against Zenaida Cordero.

FINDINGS OF FACT

1. According to Texas Department of Insurance records, Zenaida Cordero, individual identification no. 883192, holds a life, accident, health and HMO license issued June 17, 2010.
2. TDI records show the last mailing address Cordero provided to the department is P.O. Box 1181, La Feria, Texas 78559.
3. On June 9, 2015, TDI sent a notice of hearing to Cordero's last known mailing address.
4. Cordero failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.
5. On May 9, 2014, the Reliable Life Insurance Company terminated Cordero's employment. On May 13, 2014, Reliable cancelled all of Cordero's appointments with it and all affiliated companies.
6. Between May 2014, and June 2014, Cordero collected premiums of \$2,332.40 from policyholders, but failed to remit them to Reliable. To date none of the premiums collected by Cordero from these policyholders have been remitted to Reliable.
7. Cordero collected: 10 monthly premium payments from Raul Martinez for a total of \$99.50; nine monthly premium payments from Prudence Resendiz for a total of \$256.50;

three monthly premium payments from Irma Vela for total of \$84.15; and 11 monthly premium payments from Yolanda Lara for a total of \$167.75. In each of these instances, Cordero collected the premium payments for the purchase of life insurance coverage and failed to remit any of the collected premiums to Reliable. In each instance, she misappropriated and converted the collected premiums to her own use.

8. Furthermore, Cordero collected premiums from several other customers for the purchase of life insurance from Reliable. Cordero failed to forward any of these collected premiums to Reliable. Cordero misappropriated and converted the collected insurance premiums to her own use.

CONCLUSIONS OF LAW

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051 – 82.055, 84.021 – 84.022, 4001.002, 4005.101, 4005.102, and 4054.051; and TEX. GOV'T CODE §§ 2001.051–2001.178.
2. The commissioner has the 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. Based on 28 TEX. ADMIN. CODE § 19.906, Cordero's last known address is presumed to be P.O. Box 1181, La Feria, TX 78559.
4. TDI mailed a notice of hearing to Cordero's last known mailing address as required by 28 TEX. ADMIN. CODE §§ 1.28(c) and 1.88(c); 1 TEX. ADMIN. CODE § 155.401; and TEX. GOV'T CODE Chapter 2001.
5. TDI's allegations in the notice of hearing, as set out in findings of fact nos. 5–8, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.
6. Cordero willfully violated an insurance law of the state of Texas according to TEX. INS. CODE § 4005.101(b)(1).
7. Cordero misappropriated, converted to her own use, and illegally withheld money belonging to an insurer, as prohibited by TEX. INS. CODE § 4005.101(b)(4).
8. Cordero engaged in fraudulent and dishonest acts or practices, as contemplated in TEX. INS. CODE § 4005.101(b)(5).

The commissioner of insurance orders that the general lines life, accident, health and HMO license held by Zenaida Cordero is revoked. The commissioner orders Cordero to pay \$2,332.40 in restitution to Reliable within 30 days from the date of this order. Cordero must send written proof of payment of restitution in full to the Texas Department of Insurance, Attn:

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COMMISSIONER'S ORDER
ZENAIDA CORDERO
PAGE 3 OF 4

Catherine Bell, or her successor, Enforcement Section, MC 110-1A, P.O. Box 149104, Austin,
TX 78714-9104.



David C. Mattax
Commissioner of Insurance

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

Affidavit

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

“My name is Judy Lopez 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 Zenaida Cordero and I have confirmed that:

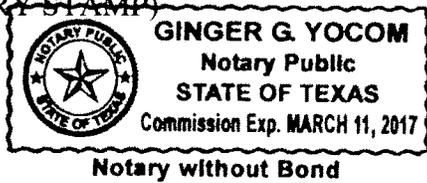
- (1) The last mailing address provided to the department by Zenaida Cordero in writing was P.O. Box 1181, La Feria, TX 78559.
- (2) The file maintained by the Enforcement Section of the Compliance Division contains a notice of hearing dated June 9, 2015, filed with the State Office of Administrative Hearing.
- (3) A certified letter, return receipt requested, and a first class mailing, both containing a notice of hearing addressed to Zenaida Cordero’s last known address, were deposited in the United States mails.

Copies of the certified and first class mail logs are attached as exhibits A and B.”

Judy Lopez
Affiant

SWORN TO AND SUBSCRIBED before me on August 10, 2015.

(NOTARY STAMP)



Ginger G. Yocom
Notary Public, State of Texas

4103

Texas Dept of Insurance
 Mail Code 110
 333 Guadalupe
 Austin TX 78701
 June 9, 2015
 Judy Lopez

110118

Winograd	Check type of mail or service	Postage	Fee	Handling Charge	Actual Value If Registered	Insured Value	Dns Sender If COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee	Affix Stamp Here (If issued as a certificate of mailing, or for additional copies of this bill) Postmark, and Date of Receipt		
													Recorded Delivery (International)	Registered	Return Receipt for Merchandise
Winograd	<input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Delivery Confirmation <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured														
Winograd	<input type="checkbox"/> Recorded Delivery (International) <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation <input type="checkbox"/> Insured	485													
Winograd	Keith Williams P.O. Box 10014 Houston, TX 77226														
Winograd	Keith Williams 5503 Mountwood St. Houston, TX 77091-5313														
Winograd	Zenaida Cordero W. Nolana, Suite LM McAllen, TX 78504														
Winograd	Zenaida Cordero P.O. Box 1181 La Feria, TX 78559														

OFFICIAL BUSINESS
 STATE OF TEXAS
 PENALTY FOR PRIVATE USE

neopost #
 06/09/2015
US POSTAGE \$001.52
 ZIP 78701
 041L12203074

EXHIBIT
B

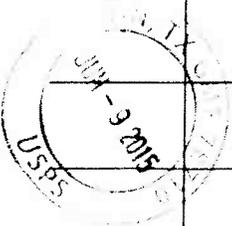
Delivery Confirmation

Signature Confirmation

Special Handling

Restricted Delivery

Return Receipt



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