

No. 4622

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

Date: AUG 09 2016

**Subject Considered:**

SHENIQUEKA MICHELLE CURTIS  
9524 Military Pkwy #8002  
Dallas, Texas 75227

**DEFAULT ORDER**  
SOAH DOCKET NO. 454-16-4746.C  
TDI ENFORCEMENT FILE NO. 10682

**General remarks and official action taken:**

The commissioner of insurance considers the application for a limited lines agent license submitted by Sheniqueka Michelle Curtis.

**FINDINGS OF FACT**

1. Curtis submitted an application for a limited lines agent license to the Texas Department of Insurance on October 19, 2015.
2. The department proposed to deny Curtis' application on January 15, 2016, based on her criminal history. She appealed that decision and made a written request for a hearing.
3. The department's records show the last known mailing address Curtis provided to the department in writing is 9524 Military Parkway #8002, Dallas, Texas 75227.
4. On June 27, 2016, the department sent a notice of hearing to Curtis' last known mailing address by certified mail, return receipt requested and first class mail.
5. Curtis failed to file a written response to the notice of hearing within 20 days of the date the notice was mailed to her last known address.
6. On September 10, 2004, the County Criminal Court No. 6 of Dallas County, Texas convicted Curtis of the offense of theft 50, a class B misdemeanor. The court sentenced Curtis to 30 days in jail.

7. On August 17, 2006, the 292nd Judicial District Court of Dallas County, Texas placed Curtis on deferred adjudication for the offense of unauthorized use of a motor vehicle, a state jail felony. The court ordered Curtis to serve five years of community supervision and pay a \$1,500 fine.
8. On August 22, 2006, the County Criminal Court No. 8 in Dallas County, Texas convicted Curtis of possession of marijuana, a class B misdemeanor. The court sentenced Curtis to six days in jail.
9. On August 4, 2009, the Court revoked Curtis' deferred adjudication for unauthorized use of a motor vehicle due to her probation violations. The Court convicted Curtis of the offense of unauthorized use of a motor vehicle, a state jail felony, and sentenced Curtis to 180 days in the Texas Department of Criminal Justice (TDJC).
10. On December 19, 2011, County Criminal Court No. 8 in Dallas County, Texas convicted Curtis of the offense of theft 50, a class B misdemeanor. The court sentenced Curtis to 30 days in jail and a \$250 fine.
11. On December 19, 2011, County Criminal Court No. 8 in Dallas County, Texas convicted Curtis of a separate offense of theft 50, a class B misdemeanor. The court sentenced Curtis to 30 days in jail and a \$250 fine.
12. On August 20, 2014, the 203rd Judicial District Court of Dallas County, Texas convicted Curtis of the offense of theft more than \$500 and twice convicted of theft, a state jail felony. The court sentenced Curtis to 45 days in jail.
13. From August 31, 2015, through January 6, 2016, Curtis worked at Rodney D. Young insurance agency and sold insurance policies without holding the proper license with the department authorizing Curtis to do so.

### 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 4054.101; 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, Curtis' last known mailing address is presumed to be 9524 Military Parkway #8002, Dallas, Texas 75227.

4. The department mailed a notice of hearing to Curtis' 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 Ch. 2001.
5. The department's allegations in the notice of hearing, set out herein as findings of fact nos. 1-2 and 6-13, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.
6. Based on Curtis' prior criminal history, she has committed acts for which a license may be denied under TEX. INS. CODE, Chapter 4005, Subchapter C because she has engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5).
7. Curtis has been convicted of a felony, as contemplated by TEX. INS. CODE § 4005.101(b)(8).
8. Curtis committed an offense for which fraud, dishonesty, or deceit is an essential element, as contemplated in 28 TEX. ADMIN. CODE § 1.502(e)(1) and TEX. OCC. CODE §§ 53.021-53.023.
9. Curtis committed an offense with the essential elements of a theft offense, as contemplated in 28 TEX. ADMIN. CODE § 1.502(e)(4)(F).
10. Curtis committed an offense that the department considers to be of such serious nature that it is of prime importance in determining fitness for licensure or authorization, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e).
11. Department guidelines, 28 TEX. ADMIN. CODE § 1.502(c)-(e), emphasize that the department:
  - a. considers it very important that applicants be honest, trustworthy, and reliable;
  - b. may refuse to issue an original license if the department determines that the applicant has committed an offense that directly relates to the duties and responsibilities of the licensed occupation; and
  - c. considers any offense for which fraud, dishonesty, or deceit is an essential element of prime importance when determining fitness for licensure. 28 TEX. ADMIN. CODE § 1.502(e)(1).
12. Curtis has been convicted of a felony involving dishonesty or breach of trust, as specified in 18 U.S.C. § 1033 and requiring written consent from the commissioner of insurance to engage or participate in the business of insurance.
13. Curtis violated TEX. INS. CODE §§ 101.102 and 4054.101 by performing the acts of an insurance agent without holding the required license.

**4622**

COMMISSIONER'S ORDER

Sheniqueka Michelle Curtis

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The commissioner of insurance denies Sheniqueka Michelle Curtis' application for a limited lines agent license.

  
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David C. Mattax  
Commissioner of Insurance

Affidavit

STATE OF TEXAS            §  
  §  
COUNTY OF TRAVIS       §

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 Sheniqueka Michelle Curtis and I have confirmed that:

- (1) The last mailing address provided to the department in writing by Sheniqueka Michelle Curtis was 9524 Military Parkway #8002, Dallas, Texas 75227.
- (2) The file maintained by the Enforcement Section of the Compliance Division contains a notice of hearing dated June 27, 2016, filed with the State Office of Administrative Hearings.
- (3) A certified letter, return receipt requested, and a first class mailing, each containing a notice of hearing, addressed to Sheniqueka Michelle Curtis’ 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 1, 2016.

(NOTARY STAMP)

Victoria L. Ortega  
Notary Public, State of Texas





