

No. 4642

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

**Date:** AUG 31 2016

**Subject Considered:**

ABUNDIO RODRIGUEZ  
1643 Roger Bombach Drive  
El Paso, Texas 79936

**DEFAULT ORDER**  
SOAH DOCKET NO. 454-16-5206.C  
TDI ENFORCEMENT FILE NO. 8179

**General remarks and official action taken:**

The commissioner of insurance considers the application for a general lines agent license with a life, accident, and health qualification for Abundio Rodriguez.

**Findings of Fact**

1. Abundio Rodriguez submitted an application for a general lines agent license with a life, accident, and health qualification to the department on May 28, 2014.
2. The department proposed to deny Rodriguez's application on September 11, 2014, based on his prior license revocation. He appealed that decision and made a written request for a hearing.
3. On July 21, 2016, the department sent a notice of hearing to Rodriguez's last known address provided in writing to the department, 1643 Roger Bombach Drive, El Paso, Texas 79936.
4. Rodriguez 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 On May 20, 1983, under Commissioner's Order No. 83-1450, Rodriguez's legal reserve life insurance agent's license was revoked because he engaged in the unauthorized solicitation of insurance without having the proper license and he converted and misappropriated premium payments.

6. On June 21, 1990, under Commissioner's Order No. 90-0935, Rodriguez's previous application for a Group I, legal reserve life insurance agent's license was denied.

### Conclusions of Law

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102 and 4054.051, and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89 give the commissioner authority to dispose of this case informally.
3. Based on 28 TEX. ADMIN. CODE § 19.906, Rodriguez's last known address is presumed to be 1643 Roger Bombach Drive, El Paso, Texas 79936.
4. The department sent a notice of hearing to Rodriguez's last known 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 5-6, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.
6. Rodriguez failed to show good cause why the May 20, 1983, revocation of his legal reserve life insurance agent's license and the June 21, 1990, denial of his group I, legal reserve life insurance agent's license application should not be a bar to the issuance of a new license, as contemplated by TEX. INS. CODE § 4005.105(c).

The commissioner of insurance denies Abundio Rodriguez's application for a general lines agent license with a life, accident, and health qualification.

  
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David C. Mattax  
Commissioner of Insurance





