

No. **2016-4718**

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

Date: OCT 11 2016

**Subject Considered:**

NGLS INSURANCE SERVICES, INC.  
9800 Muirlands Blvd.  
Irvine, California 92618

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 11686

**General remarks and official action taken:**

The commissioner of insurance considers disciplinary action against NGLS Insurance Services, Inc. for failure to timely file new or renewal surplus lines insurance policies with the Surplus Lines Stamping Office of Texas.

**Waiver**

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

**Findings of Fact**

1. NGLS Insurance Services, Inc., organization identification number 15604, holds a surplus lines license issued by the Texas Department of Insurance.
2. NGLS Insurance Services, Inc. was previously named QBE First Insurance Agency, Inc., but its name was formally changed effective April 15, 2016.
3. 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 60<sup>th</sup> day after the later of the effective date or the issue date of new or renewal surplus lines insurance.

4. In 2015, NGLS Insurance Services, Inc. filed surplus lines policies late.

### Conclusions of Law

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE § 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. NGLS Insurance Services, Inc. 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. NGLS Insurance Services, Inc. violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

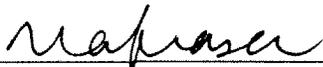
The commissioner orders NGLS Insurance Services, Inc. to pay an administrative penalty of \$3,500. The administrative penalty must be paid within 30 days from the date of this order. The administrative penalty must be paid by cashier's check or money order made payable to the "State of Texas." Mail the administrative penalty to the Texas Department of Insurance, Attn: Enforcement Section, Division 40111, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.

The commissioner further orders NGLS Insurance Services, Inc. to implement internal policies, procedures, and other safeguards designed to ensure future surplus lines policies and related documents are timely filed in compliance with TEX. INS. CODE § 981.105(a).



David C. Mattax  
Commissioner of Insurance

For the Department:



Whitney A. Fraser, Staff Attorney

2016-4718

COMMISSIONER'S ORDER  
NGLS INSURANCE SERVICES, INC.

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Affidavit

THE STATE OF california §

§

COUNTY OF ORANGE §

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

"My name is Kimberly Shippey. 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 Sr. Director, Surplus Lines Manager and am the authorized representative of NGLS Insurance Services, Inc. I am duly authorized by the organization to execute this statement.

NGLS Insurance Services, Inc. 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."

Kimberly Shippey  
Affiant

SWORN TO AND SUBSCRIBED before me on September 19<sup>th</sup>, 2016.

(NOTARY STAMP)

see attached  
Signature of Notary Public

# 2016-4718

**CALIFORNIA JURAT WITH AFFIANT STATEMENT**

**GOVERNMENT CODE § 8202**

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

*n/a*

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of ORANGE

Subscribed and sworn to (or affirmed) before me

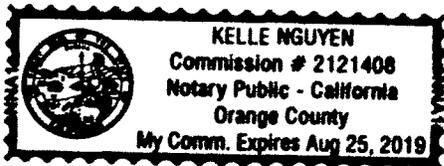
on this 19<sup>th</sup> day of September, 2016,  
by \_\_\_\_\_ Date \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_

(1) Kimberly Shippey

(and (2) n/a),  
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature \_\_\_\_\_  
Signature of Notary Public



Seal

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Official Order of the Texas Commissioner of Insurance Document Date: 9/19/2016

Number of Pages: 3 Signer(s) Other Than Named Above: \_\_\_\_\_