

No. 2017- 5017

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

Date: MAR 3 1 2017

**Subject Considered:**

**BENJIE SIMS REED**  
604 S. Highway 14  
Mexia, Texas 76667

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 12096

**General remarks and official action taken:**

The commissioner of insurance considers whether disciplinary action should be taken against Benjie Sims Reed.

**WAIVER**

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

**FINDINGS OF FACT**

1. Reed holds an escrow officer license issued by the Texas Department of Insurance, number 1883359.
2. Reed is employed as an escrow officer for First Title of Limestone County, Inc.
3. The department requires escrow officers to complete a certain number of continuing education hours during each reporting period.
4. The department received a renewal application from Reed on July 17, 2015, which indicated that he completed 10 hours of continuing education for the August 1, 2013, through August 1, 2015, reporting period.
5. A first Title of Limestone County employee other than Reed completed parts of the application, including question number four, which indicated that Reed completed 10 total hours of continuing education.
6. Reed signed the "Escrow Officer Certification" on the renewal, certifying that he personally answered each question and that each was true and correct. The renewal

application provided notice that failure to comply with any one of the licensing requirements could result in non-renewal.

7. An audit of records revealed that Reed failed to complete 10 hours of continuing education, during the applicable period.
8. During the applicable period, Reed completed zero continuing education hours.

### CONCLUSIONS OF LAW

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.056, 84.021, 2651.001, 2651.301, 2652.002, 2652.051, 2652.058, 2652.201, and 4005.102-4005.104; 28 TEX. ADMIN. CODE § 9.1, which adopts by reference the Texas Title Insurance Basic Manual, Procedural Rule P-28 (Basic Manual, Rule P-28); and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has the authority to informally dispose of this matter under TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE § 1.47.
3. Pursuant to TEX. INS. CODE §§ 82.052 and 2652.201, and Basic Manual, Rule P-28, the department may discipline an escrow officer for failure to comply with the continuing education requirements, including fine, suspension, revocation, or cancellation of a license.
4. Reed violated TEX. INS. CODE §§ 2652.058, 2652.201, and Basic Manual, Rule P-28 by failing to complete required continuing education during the August 1, 2013 through August 1, 2015, reporting period.

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COMMISSIONER'S ORDER  
Benjie Sims Reed  
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The commissioner orders Benjie Sims Reed to pay an administrative penalty of \$2,500. The administrative penalty must be paid in full by no later than 30 days from the entry date of this consent order. The penalty must be paid by cashier's check or money order made payable to the "State of Texas" and sent to the Texas Department of Insurance, Attn: Enforcement Section, Division 40111, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.



David C. Mattax

Commissioner of Insurance

~~By: Kevin Brady, Deputy Commissioner~~

~~Delegation Order 4506~~

APPROVED AS TO FORM AND CONTENT:



Beverly Rosendahl

Staff Attorney, Compliance Division

Texas Department of Insurance

AFFIDAVIT

STATE OF TEXAS

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COUNTY OF LIMESTONE

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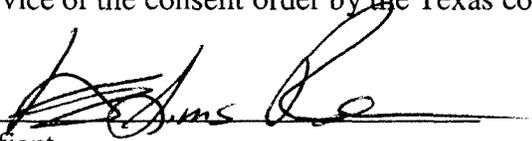
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Before me, the undersigned authority, personally appeared the affiant, who was duly sworn by me and deposed as follows:

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

I waive rights provided by the Texas Insurance code and other applicable law and acknowledge the jurisdiction of the commissioner.

I have knowingly and voluntarily enters into this consent order. I consent to the issuance and service of the consent order by the Texas commissioner of insurance."

  
Affiant

SWORN TO AND SUBSCRIBED before me on Feb. 28, 2017.

(NOTARY SEAL)

  
Signature of Notary Public

