

No. 2017 - 5035

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

Date: APR 24 2017

Subject Considered:

VERNON KEITH HARRIS
4424 Penlucy Road
Baltimore, Maryland 21229

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 10775

General remarks and official action taken:

The commissioner of insurance considers whether an adjuster all lines designated home state Texas license should be issued to Vernon Keith Harris.

WAIVER

Harris acknowledges that the Texas Insurance Code and other applicable laws provide certain rights. Harris waives all of these rights in consideration of the entry of this consent order.

FINDINGS OF FACT

1. On September 24, 2015, Harris applied for an adjuster all lines designated home state Texas license to be issued by the Texas Department of Insurance. The department proposed to deny his license application based on his criminal history, and Harris made a written request for a hearing.
2. On February 25, 2005, the United States District Court, District of Maryland, convicted Harris of the offense of Dealing in Counterfeit Money, a federal felony. The court sentenced Harris to two years of unsupervised probation and ordered Harris to complete 200 hours of work service.
3. Harris has cooperated with TDI in its investigation of his criminal background. Harris provided mitigating evidence to support his fitness for licensure as follows:
 - a. He has successfully completed his term of unsupervised probation;
 - b. He has held steady employment since his conviction;
 - c. He contributes to his community and is a volunteer basketball coach;
 - d. He has submitted nine letters of recommendation, including letters from an attorney, an insurance agent, a correctional officer, and former employers, who are aware of his past conduct and consistently refer to him as honest, hardworking, and loyal; and

- e. He has accepted responsibility and expressed remorse for his criminal conduct.
4. Due to Harris' criminal background, the department needs an opportunity to monitor his insurance activities to ensure he demonstrates the ability, capability, and fitness required to perform and discharge the responsibilities of a licensed adjuster.

CONCLUSIONS OF LAW

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.102, 4001.105, 4005.101-4005.103, and 4101.051; TEX. GOV'T CODE §§ 2001.051-2001.178; 28 TEX. ADMIN. CODE § 1.502; and TEX. OCC. CODE §§ 53.021-53.023.
2. The commissioner has the authority to dispose of this case informally pursuant to the provisions of TEX. GOV'T CODE § 2001.056, 28 TEX. ADMIN. CODE § 1.47, and TEX. INS. CODE §82.055.
3. Harris committed an act for which a license may be denied, as contemplated by TEX. INS. CODE §§ 4001.105 and 4005.101.
4. Pursuant to 28 TEX. ADMIN. CODE § 1.502(f), the commissioner has determined that the factors in TEX. OCC. CODE §§ 53.022-53.023 outweigh the serious nature of Harris' criminal convictions.
5. The commissioner is an insurance regulatory official authorized to regulate Harris' activities in the business of insurance. The commissioner has primary jurisdiction to grant Harris written consent to engage or participate in the business of insurance, pursuant to 18 U.S.C. § 1033.

The commissioner orders that an adjuster all lines designated home state Texas license is granted to Vernon Keith Harris. The commissioner further orders that the adjuster all lines designated home state Texas license is suspended for five years, probated.

If, during the probation period imposed by this order, the department issues any additional licenses or authorizations to Harris, those additional licenses or authorizations will be suspended until the probation period imposed by this order has ended. The suspension shall be probated, and the same terms and conditions stated in this order will apply.

Beginning from the date of this order and continuing through the probation period, Harris must provide written notice of his criminal record to any company, agent, agency, association, or other individual or entity employing or contracting with him as an adjuster. Harris must provide the department with a copy of the notification within 30 days of the appointment or sponsorship by sending it to the Texas Department of Insurance, Attn: Catherine Bell or her successor, Enforcement Section, Mail Code 110-1A, P.O. Box 149104, Austin, Texas 78714-9104.

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COMMISSIONER'S ORDER

Vernon Keith Harris

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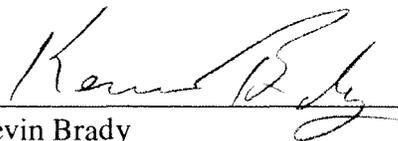
Beginning from the date of this order and continuing through the probation period, Harris must file a written report, on or before the 15th day of the month on a quarterly basis for the months of March, June, September, and December, with the Texas Department of Insurance, Attn: Catherine Bell, or her successor, Enforcement Section, Mail Code 110-1A, P.O. Box 149104, Austin, Texas 78714-9104. The reports must include the following information:

- a. Harris' current mailing address and telephone number;
- b. the name, mailing address, and telephone number of Harris' employer, and if Harris is self-employed, a statement that he is self-employed and the name, mailing address, and telephone number of his business;
- c. the name and address of any individual or entity which has employed or contracted with Harris as an adjuster; and
- d. the name and address of any individual or entity which has terminated Harris' employment or contract as an adjuster.

Harris must notify the department immediately of the following:

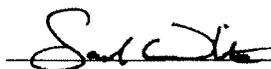
- a. any charges or indictments filed against him for a misdemeanor or felony during the period he is required to file reports, excluding traffic offenses and Class C misdemeanors;
- b. any state or regulatory actions taken against him including formal and informal actions;
- c. any change in his employment or his residence; and
- d. any complaint made against Harris concerning his performance as an adjuster, as well as a written explanation detailing the steps taken to resolve it.

The commissioner grants written consent, as contemplated by 18 U.S.C. § 1033(e)(2), for Harris to engage or participate in the business of insurance with respect to persons who are domiciled in and risks and subjects of insurance that are resident, located, or to be performed in Texas. This written consent will remain in effect for as long as Harris renews his license. This written consent terminates immediately if any insurance license or authorization held by Harris is suspended or revoked.



Kevin Brady
Deputy Commissioner For Agency Affairs
Texas Department of Insurance
Delegation Order 4506

APPROVED AS TO FORM AND CONTENT:



Sarah White, Staff Attorney
Enforcement Section
Texas Department of Insurance

Affidavit

STATE OF MD §
COUNTY OF BALTIMORE §
§

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

“My name is Vernon Keith Harris. 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 entered into this consent order and agree with and consent to the issuance and service of the same by the commissioner of insurance of the State of Texas.”

Vernon K Harris

Affiant

SWORN TO AND SUBSCRIBED before me on this 17 day of March, 2017.

(NOTARY STAMP)

[Signature]
Signature of Notary of Public
11/22/17