

No. 2018- 5357

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

Date: JAN 10 2018

Subject Considered:

ROSITA JOHNS
15331 W. Bell Rd., Ste. 212
Surprise, Arizona 85374-4104

DEFAULT ORDER
SOAH DOCKET NO. 454-18-0840.C
TDI ENFORCEMENT FILE NO. 14597

General remarks and official action taken:

The subject of this order is whether disciplinary action should be taken against Rosita Johns.

FINDINGS OF FACT

1. Rosita Johns, individual identification number 1617205, holds a non-resident general lines agent license with a property and casualty qualification, originally issued by TDI on June 13, 2016.
2. On November 6, 2017, the department sent a notice of hearing to Johns' last known address provided in writing to the department, 15331 W. Bell Rd., Ste. 212, Surprise, Arizona 85374-4104, and one additional address: 30198 W. Flower St., Buckeye, Arizona 85396.
3. Johns failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.
4. Johns has a non-resident license because she lives in Arizona. This license type requires that Johns have a resident license in good standing in her home state.
5. On October 25, 2016, the Arizona Department of Insurance revoked Johns' resident insurance agent license. Johns did not notify TDI of the revocation.
6. Mississippi and Nevada also took administrative action against Johns. Johns did not notify TDI of those administrative actions.

CONCLUSIONS OF LAW

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.252, 4005.101, 4005.102, 4051.051, and 4056.052, 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, Johns' last known address is presumed to be 15331 W. Bell Rd., Ste. 212, Surprise, Arizona 85374-4104.
4. The department sent a notice of hearing to Johns' 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. The department also sent a notice of hearing to one additional address: 30198 W. Flower St., Buckeye, Arizona 85396.
5. The department's allegations in the notice of hearing, set out herein as findings of fact nos. 1 and 4-6, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.
6. Johns does not hold a license in good standing as an agent in her state of residence, as required by TEX. INS. CODE § 4056.052, and is no longer eligible to hold a non-resident license in Texas.
7. Johns did not notify the department of the administrative actions taken against her, in violation of TEX. INS. CODE § 4001.252.

It is ordered that Rosita Johns' non-resident general lines agent license with a property and casualty qualification is revoked.



Kent C. Sullivan
Commissioner of Insurance



2018-5357

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MC 110-1A M RUIZ
Texas Department of Insurance
333 Guadalupe St
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USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	Special Handling Fee
1. 9214 8901 9403 8302 6181 27	ROSITA JOHNS 15331 W BELL RD SUITE 212 SURPRISE AZ 85374-4104	0.67	3.35	Handling Charge - if Registered and over \$50,000 in value							1.45			
TIGUE/14597														
2. 9214 8901 9403 8300 0002 6181 34	ROSITA JOHNS 30198 W FLOWER ST BUCKEYE AZ 85396	0.67	3.35	Handling Charge - if Registered and over \$50,000 in value							1.45			
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