

No. 2018 - 5827

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

Date: DEC 28 2018

Subject Considered:

SOUTHWEST RISK LP
8144 Walnut Hill Ln Ste 1400
Dallas, Texas 75231

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 17230

General remarks and official action taken:

The subject of this order is whether disciplinary action should be taken against Southwest Risk LP (Southwest Risk).

WAIVER

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

FINDINGS OF FACT

1. Southwest Risk, organization identification number 20944, holds a surplus lines license issued by the Texas Department of Insurance.
2. 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.

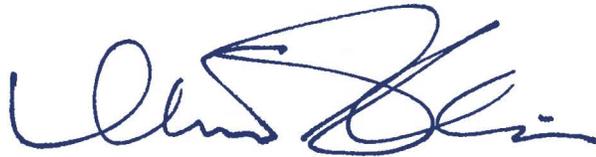
This information is due not later than the 60th day after the later of the effective date or the issue date of new or renewal surplus lines insurance.

3. In 2017, Southwest Risk filed surplus lines policies late.
4. The commissioner previously disciplined Southwest Risk for violating TEX. INS. CODE § 981.105(a) in Official Order No. 3495, entered on August 20, 2014, and in Official Order No. 12-0102, entered on February 6, 2012.

CONCLUSIONS OF LAW

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, and 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. Southwest Risk 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. Southwest Risk violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

It is ordered that Southwest Risk LP must pay an administrative penalty of \$6,125. 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 60851, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.



Kent C. Sullivan
Commissioner of Insurance

2018-5827

COMMISSIONER'S ORDER

Southwest Risk LP

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For the Department:



Sarah White, Staff Attorney

