

No. 2019-5850

**Official Order  
of the  
Texas Commissioner of Insurance**

**Date:** JAN 25 2019

**Subject Considered:**

EBU Administrators, Inc.  
P.O. Box 592135  
San Antonio, Texas 78259-0156

Default Order  
SOAH Docket No. 454-19-1325.C  
TDI Enforcement File No. 16374

**General remarks and official action taken:**

The subject of this order is whether disciplinary action should be taken against EBU Administrators, Inc.

The following findings of fact and conclusions of law are adopted:

**Findings of Fact**

Failure to Respond to Notice of Hearing

1. On November 27, 2018, the Texas Department of Insurance filed a Notice of Hearing, attached as Exhibit A, with the State Office of Administrative Hearings.
2. The department's factual allegations set out in the attached Notice of Hearing are incorporated in this order as findings of fact.
3. The department sent the Notice of Hearing to Respondent's last known address provided in writing to the department, P.O. Box 592135, San Antonio, Texas 78259-0156. Notice was also sent to two additional addresses associated with Respondent: 5505 TPC Pkwy Apt. 1402, San Antonio, Texas 78261-2839 and 8826 Shady Valley, San Antonio, Texas 78254.

- 4. Respondent failed to file a written response to the Notice of Hearing within 20 days of the date the Notice of Hearing was mailed.

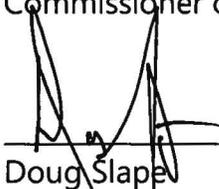
**Conclusions of Law**

- 1. The commissioner has jurisdiction pursuant to Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4151.051, 4151.056, 4151.205, 4151.206, 4151.212, 4151.301-4151.309; TEX. GOV'T CODE §§ 2001.051-2001.178; and 28 TEX. ADMIN. CODE §§ 7.1601, 7.1603, and 7.1609.
- 2. The commissioner has authority to dispose of this case informally pursuant to TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89.
- 3. The department provided proper notice of the hearing pursuant to TEX. GOV'T CODE §§ 2001.051, 2001.052, and 2001.054, and 28 TEX. ADMIN. CODE §§ 1.28, 1.88, 1.89, and 19.906.
- 4. Based on Respondent's failure to file a written response to the Notice of Hearing, the department is entitled to disposition by default pursuant to 28 TEX. ADMIN. CODE §§ 1.88 and 1.89.
- 5. The department's factual and legal allegations set out in the attached Notice of Hearing are incorporated in this order and deemed admitted as true pursuant to 28 TEX. ADMIN. CODE §1.89.

**Order**

It is ordered that EBU Administrators, Inc.'s third-party administrator certificate of authority is revoked.

Kent C. Sullivan  
Commissioner of Insurance

By:   
Doug Slape  
Chief Deputy Commissioner  
Commissioner's Order No. 2018-5528

**Affidavit**

**STATE OF TEXAS**           §  
  §  
**COUNTY OF TRAVIS**       §

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

"My name is Mary Ruiz and I am employed by the Texas Department of Insurance. I am of sound mind, capable of making this affidavit, and have personal knowledge of these facts which are true and correct.

I have reviewed TDI's records concerning EBU Administrators, Inc. I have confirmed that:

- a. The last mailing address provided to the department in writing by EBU Administrators, Inc. is P.O. Box 592135, San Antonio, Texas 78259-0156.
- b. The file maintained by the Enforcement Section of the Legal and Enforcement Division contains a Notice of Hearing dated November 27, 2018, which was filed with the State Office of Administrative Hearings.
- c. On November 27, 2018, a Notice of Hearing addressed to EBU Administrators, Inc. was mailed first-class and certified, return receipt requested, to its last known address and two additional addresses: 5505 TPC Pkwy Apt. 1402, San Antonio, Texas 78261-2839 and 8826 Shady Valley, San Antonio, Texas 78254.

Copies of the first-class mail log and certified mail log maintained by the Enforcement Section are attached as Exhibit B and Exhibit C, respectively."

  
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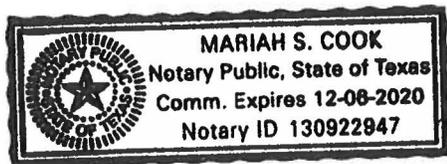
Affiant

SWORN TO AND SUBSCRIBED before me on January 2, 2019.

(NOTARY SEAL)

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

MARIAH COOK  
\_\_\_\_\_  
Printed Name of Notary Public



2019- 5850

**SOAH DOCKET NO. 454-19-1325.C  
TDI ENFORCEMENT FILE NO. 16374**

**TEXAS DEPARTMENT OF INSURANCE,**

**Petitioner**

**v.**

**EBU ADMINISTRATORS INC.**

**Respondent**

**BEFORE THE STATE OFFICE**

**OF**

**ADMINISTRATIVE HEARINGS**

**Notice of Hearing**

The Texas Department of Insurance (TDI) is seeking disciplinary action against you. A public hearing will be held before an Administrative Law Judge on Tuesday, February 19, at 9:00 a.m. The hearing will take place at the State Office of Administrative Hearings, located in the William P. Clements Building, 300 W. 15th Street, 4th Floor, Austin, Texas 78701.

The hearing shall be conducted pursuant to TEX. GOV'T CODE, ch. 2001 and 1 TEX. ADMIN. CODE, ch. 155. Unless otherwise directed by the Administrative Law Judge, the hearing shall continue from day to day in the offices of the State Office of Administrative Hearings until concluded.

**PARTIES THAT ARE NOT REPRESENTED BY AN ATTORNEY MAY OBTAIN INFORMATION REGARDING CONTESTED CASE HEARINGS ON THE PUBLIC WEBSITE OF THE STATE OFFICE OF ADMINISTRATIVE HEARINGS AT WWW.SOAH.TEXAS.GOV, OR IN PRINTED FORMAT UPON REQUEST TO SOAH.**

The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 4151.051, 4151.056, 4151.205, 4151.206, 4151.212, 4151.301-4151.309; TEX. GOV'T CODE §§ 2001.051-2001.178; and 28 TEX. ADMIN. CODE §§ 7.1601, 7.1603, and 7.1609.

**YOU MUST FILE A WRITTEN RESPONSE TO THE NOTICE OF HEARING WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS WITHIN 20 DAYS OF THE DATE THE NOTICE OF HEARING WAS MAILED. FAILURE TO FILE A WRITTEN RESPONSE BY THIS DEADLINE SHALL ENTITLE TDI TO SEEK DISPOSITION BY DEFAULT PURSUANT TO 1 TEX. ADMIN. CODE § 155.501 AND 28 TEX. ADMIN. CODE §§ 1.88 AND 1.89.**

**EXHIBIT**

**A**

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2019 - 5850

Notice of Hearing  
EBU Administrators Inc.  
SOAH Docket No. 454-19-1325.C  
Page 2 of 5

**IF YOU FAIL TO FILE A WRITTEN RESPONSE, THE SCHEDULED HEARING CAN BE CANCELED AND WITHOUT FURTHER NOTICE TO YOU THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING DENIAL OF YOUR LICENSE APPLICATION, IS GRANTED BY DEFAULT.**

**IF YOU FILE A WRITTEN RESPONSE BUT THEN FAIL TO APPEAR ON THE DAY AND TIME SET FOR HEARING, WITHOUT FURTHER NOTICE TO YOU, THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING DENIAL OF YOUR LICENSE APPLICATION, IS GRANTED BY DEFAULT.**

Pursuant to 28 TEX. ADMIN. CODE § 1.90(e) and 1 TEX. ADMIN. CODE §§ 155.101 and 155.103, send copies of your written response to:

- (1) Docketing Division  
State Office of Administrative Hearings  
300 West 15th Street, Room 504  
P. O. Box 13025  
Austin, Texas 78711-3025  
(512) 322-2061 (Fax);
- (2) Chief Clerk  
Texas Department of Insurance, MC113-2A  
P. O. Box 149104  
Austin, Texas 78714-9104  
(512) 490-1064 (Fax)  
chiefclerk@tdi.texas.gov; and
- (3) Jeannie Ricketts, Staff Attorney  
Texas Department of Insurance  
Enforcement Section, MC110-1A  
P.O. Box 149104  
Austin, Texas 78714-9104  
(512) 490-1020  
jeannie.ricketts@tdi.texas.gov.

## **Factual Allegations**

1. On June 10, 2014, TDI issued EBU Administrators Inc. third party administrator (TPA) certificate of authority no. 13764871.
2. According to Texas Secretary of State records, EBU Administrators Inc. forfeited its corporate existence on January 2017, due to tax reasons.
3. EBU Administrators Inc. failed to file its annual TPA reports with TDI and pay the associated \$200 filing fees by June 30<sup>th</sup> for the years 2014 to 2017.
4. On September 14, 2018, TDI sent EBU Administrators Inc. a notice of intention to institute disciplinary action. EBU Administrators Inc. did not respond.

## **Legal Allegations**

1. EBU Administrators Inc. failed to timely file annual TPA reports by June 30<sup>th</sup> on a form prescribed by the commissioner, in violation of TEX. INS. CODE §§ 4151.205 and 4151.301(14), and 28 TEX. ADMIN. CODE § 7.1609.
2. EBU Administrators Inc. failed to pay the annual \$200 TPA filing fee in violation of TEX. INS. CODE § 4151.206(a)(3) and 28 TEX. ADMIN. CODE § 7.1609(a).
3. EBU Administrators Inc. failed to maintain at all times the qualifications for a certificate of authority, as required by TEX. INS. CODE § 4151.212 and 28 TEX. ADMIN. CODE § 7.1607(e).
4. EBU Administrators Inc. has willfully violated an insurance law of this state, as contemplated by TEX. INS. CODE § 4151.301(1).
5. EBU Administrators Inc. has willfully violated a commissioner rule, as contemplated by TEX. INS. CODE § 4151.301(10).

## **Relief Sought**

If one or more of the above allegations is found to be true, the commissioner may enter an order revoking your certificate of authority. You have the right to appear at this hearing and be represented by an attorney. Please address any questions and correspondence to the undersigned counsel at the address or telephone number below.

2019- 5850

Notice of Hearing  
EBU Administrators Inc.  
SOAH Docket No. 454-19-1325.C  
Page 4 of 5

**Important Security Notice**

**ALL VISITORS TO THE WILLIAM P. CLEMENTS BUILDING WITHOUT AN AGENCY OR DPS ISSUED ID CARD MUST PROVIDE THE BUILDING SECURITY OFFICER WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS DOCKET NUMBER AND RECEIVE A VISITOR'S PASS IN ORDER TO BE ALLOWED ACCESS TO THE HEARING ROOM. INDIVIDUALS SHOULD ALLOW ADDITIONAL TIME TO GO THROUGH THE SECURITY PROCESS.**

If you have any questions, please contact me at the address or telephone number shown below.

Sincerely,



Jeannie Ricketts, Staff Attorney  
Texas Department of Insurance  
Legal and Enforcement Division - Enforcement Section, MC110-1A  
P.O. Box 149104  
Austin, Texas 78714-9104.  
(512) 676-6339 (Direct)  
(512) 490-1020 (Fax)  
jeannie.ricketts@tdi.texas.gov  
State Bar No. 24041774

cc: Elaine Cabrera, Program Specialist, Company Licensing and Registration Office  
Christian Hertzberg, Assist. Director, Company Licensing and Registration Office  
Beverly Rosendahl, Director, Life, Health Litigation Office

2019- 5850

Notice of Hearing  
EBU Administrators Inc.  
SOAH Docket No. 454-19-1325.C  
Page 5 of 5

**CERTIFICATE OF SERVICE**

I, Jeannie Ricketts, certify that a true and correct copy of this *Notice of Hearing* was served by regular, first-class mail and by certified mail, return receipt requested, on this 27th day of November 2018, as follows:

EBU Administrators Inc.  
P.O. Box 592135  
San Antonio, Texas 78259-0156

Via CM/RRR No.: 9214 8901 9403 8375  
5636 83

Melinda Urion  
Attorney for Service  
Chief Executive, Director  
EBU Administrators, Inc.  
5505 TPC Pkwy Apt. 1402  
San Antonio, Texas 78261-2839

Via CM/RRR No.: 9214 8901 9403 8375  
5636 90

Thomas Elias  
Secretary, Director  
EBU Administrators Inc.  
8826 Shady Valley  
San Antonio, Texas 78254

Via CM/RRR No.: 9214 8901 9403 8375  
5637 13

Christopher Bazy  
Treasurer, Director  
EBU Administrators Inc.  
8826 Shady Valley  
San Antonio, Texas 78254

Via CM/RRR No.: 9214 8901 9403 8375  
5637 37

  
Jeannie Ricketts

**Name and Address of Sender**

Texas Dept of Insurance  
 Mail Code 110-1A  
 333 Guadalupe St  
 Austin TX 78701  
 Mary Ruiz  
 November 27, 2018

Check type of mail or service

Adult Signature Required       Priority Mail Express

Adult Signature Restricted Delivery       Registered Mail

Certified Mail       Return Receipt for Merchandise

Certified Mail Restricted       Signature Confirmation

Collect on Delivery (COD)       Signature Confirmation Restricted Delivery

Insured Mail

Priority Mail

Affix Stamp Here  
 (if issued as an international certificate of mailing or for additional copies of this receipt). Postmark with Date of Receipt

Firm Mailing Book For A



USPS Tracking/Article Number	Address (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	SC &	SCRD Fee	SH Fee
RICKETTS/16374	EBU ADMINISTRATORS INC. P.O. BOX 592135 SAN ANTONIO, TEXAS 78259-0156	.47											
	MELINDA URION ATTORNEY FOR SERVICE CHIEF EXECUTIVE, DIRECTOR EBU ADMINISTRATORS, INC. 5505 TPC PKWY APT. 1402 SAN ANTONIO, TEXAS 78261-2839	.47		over \$50,000 in value									
	THOMAS ELIAS SECRETARY, DIRECTOR EBU ADMINISTRATORS INC. 8826 SHADY VALLEY SAN ANTONIO, TEXAS 78254	.47											
	CHRISTOPHER BAZZY TREASURER, DIRECTOR EBU ADMINISTRATORS INC. 8826 SHADY VALLEY SAN ANTONIO, TEXAS 78254	.47											

neopost by 11/27/2018  
 US POSTAGE \$007.60  
 ZIP 78701  
 04-1M12252405

OFFICIAL BUSINESS  
 STATE OF TEXAS  
 PENALTY FOR PRIVATE USE

AUSTIN TX 78701  
 NOV 27 2018  
 G.M.F. WINDOW

RECEIVED  
 NOV 28 2018  
 MAIL ROOM

Adult Signature Rec.  
 Adult Signature Restricted Del.  
 Restricted Delivery  
 Return Receipt  
 Signature Confirmation  
 Signature Confirmation Restricted Delivery  
 Special Handling

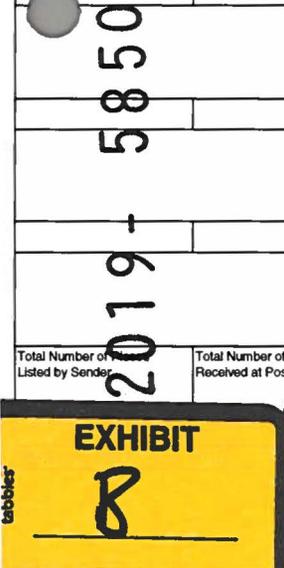
Total Number of Pieces Listed by Sender: 4  
 Total Number of Pieces Received at Post Office: 4

Postmaster, Per (Name of receiving employee)

*[Signature]*

Completed in Ink

Privacy Note: For more information on USPS privacy policies, visit [usps.com/privacy-policy](http://usps.com/privacy-policy).



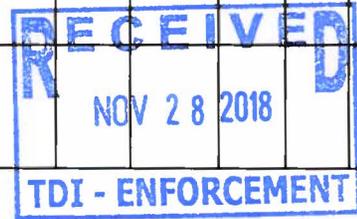


Name and Address of Sender  
 MC 110-1A M RUIZ  
 Texas Department of Insurance  
 333 Guadalupe St  
 Austin Tx 78701

- Check type of mail or service
- Adult Signature Required
  - Adult Signature Restricted Delivery
  - Certified Mail
  - Certified Mail Restricted Delivery
  - Collect on Delivery (COD)
  - Insured Mail
  - Priority Mail
  - Priority Mail Express
  - Registered Mail
  - Return Receipt for Merchandise
  - Signature Confirmation
  - Signature Confirmation Restricted Delivery

Affix Stamp Here  
 (if issued as an international certificate of mailing or for additional copies of this receipt).  
 Postmark with Date of Receipt.

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	SH Fee	
1. 9214 8901 9403 8375 5636 83	EBU ADMINISTRATORS INC PO Box 592135 SAN ANTONIO TX 78259-0156	0.71	3.45	Handling Charge - if Registered and over \$50,000 in value							1.50				
2. 9214 8901 9403 8375 5636 90	MELINDA URION ATTORNEY FOR SERVICE CHIEF EXECUTIVE DIRECTOR EBU ADMINISTRATORS INC 5505 TPC PKWY APT 1402 SAN ANTONIO TX 78261-2839	0.71	3.45									1.50			
3. 9214 8901 9403 8375 5637 13	THOMAS ELIAS SECRETARY DIRECTOR EBU ADMINISTRATORS INC 8826 SHADY VALLEY SAN ANTONIO TX 78254	0.71	3.45						Adult Signature Required	Adult Signature Restricted Delivery		1.50			
4. 9214 8901 9403 8375 5637 37	CHRISTOPHER BAZZY TREASURER DIRECTOR EBU ADMINISTRATORS INC 8826 SHADY VALLEY SAN ANTONIO TX 78254	0.71	3.45						Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling



2019-5850

Total Number of Pieces  
 Total Number of Pieces received at Post Office

Postmaster, Per (Name of receiving employee)





# Shipment Confirmation Acceptance Notice

## A. Mailer Action

**Note to Mailer:** The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

2019-5850

Shipment Date: 11/27/2018

Shipped From:

Name: MC 110-1A M RUIZ

Address: 333 GUADALUPE ST

City: AUSTIN

State: TX ZIP+4® 78701

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	0
First-Class Package Service®	
Returns	
International*	
Other	4
Total	4

\*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

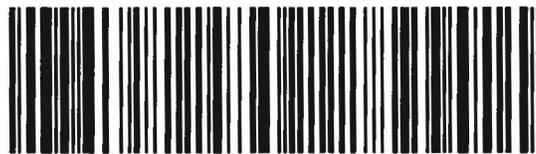
## B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.  
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0011 4450 80



RICKETTS/16374