

No. 2021-6861

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

Date: 06/10/2021

Subject Considered:

Derek Alexander Roeschel
[REDACTED]
Round Rock, Texas 78681-5579

Consent Order
TDI Enforcement File No. 19480

General remarks and official action taken:

This is a consent order with Derek Alexander Roeschel (Roeschel). The Texas Department of Insurance (department) alleges that Roeschel engaged in dishonest conduct related to the issuance of renter's insurance policies. Roeschel has agreed to pay a \$1,500 administrative penalty and restitution.

Waiver

Roeschel acknowledges the Texas Insurance Code and other applicable law provide certain rights. Roeschel waives all of these rights, and any other applicable procedural rights, in consideration of the entry of this consent order. Pursuant to TEX. INS. CODE § 82.055, Roeschel agrees to the terms of this consent order with the express reservation that he does not admit to any violation of the Texas Insurance Code, rules, or regulations and that the existence of any such violation is in dispute.

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Findings of Fact

Licensure

1. Roeschel, individual identification number 1323910, holds a general lines agent license with a property and casualty qualification issued by the department on April 8, 2014, and a life, accident, and health qualification issued on June 10, 2016.
2. Roeschel operated the Roeschel Agency, located in Austin, Texas, between 2016 and 2018. The Roeschel Agency never held a license or authorization issued by the department.

Renter's Insurance Policies

3. In February 2016, Roeschel was appointed with Farmers Insurance Company (Farmers), and in July 2016, Roeschel converted to the career agent program while he operated the Roeschel Agency.
4. On March 17, 2017, the last day of Roeschel's third quarter in the career agent program, he wrote seven renter's insurance policies for renters in Houston. These policies increased his total property and casualty policy count for the ninth month of the career agent program to 24 policies. Roeschel needed 22 property and casualty policies to qualify for an additional subsidy of \$3,430 in the following quarter.
5. On July 2, 2018, Farmers Service Operations center received a complaint from one of the policyholders. Based on this complaint, Farmers opened an investigation into Roeschel.
6. During Farmers' investigation, Roeschel admitted to the Farmers' investigators that his father paid for the seven policies because his father and uncle were business partners who owned the properties rented by the insureds. Each renter was required to have renter's insurance. Roeschel's uncle was renting one of the units owned by the business partnership and thus required coverage.
7. Roeschel's uncle knew he was getting coverage and e-signed his policy from his e-mail address. The other six policies investigated by Farmers were all e-signed from the uncle's e-mail address without the knowledge of the renters.

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8. Each policy was set up for monthly payments drafting from Roeschel's father's credit card. One policy was canceled after three months, one after ten, and the others after eleven months.
9. After the investigation, Farmers flagged the seven renter's insurance policies and canceled Roeschel's appointments.
10. No claims were made on any of the renter's policies while they were in force.
11. Roeschel has no other administrative actions or consumer complaints on record.

Conclusions of Law

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, 4001.002, 4005.101, 4005.102, 4051.051, 4054.051, and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has the authority to informally dispose of this matter as set forth in TEX. INS. CODE § 36.104 and 82.055, TEX. GOV'T CODE § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.
3. Roeschel has knowingly and voluntarily waived all procedural rights to which he 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. Roeschel willfully violated an insurance law of this state, in violation of TEX. INS. CODE § 4005.101(b)(1).
5. Roeschel engaged in fraudulent or dishonest acts or practices, in violation of TEX. INS. CODE § 4005.101(b)(5).
6. Roeschel engaged in acts constituting the business of insurance without a license, as defined in TEX. INS. CODE §§ 101.051 and 4001.051, in violation of TEX. INS. CODE §§ 101.102, 4001.101, 4051.051, 4054.051, and 28 TEX. ADMIN. CODE § 19.902.

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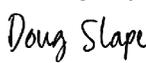
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Order

It is ordered that Derek Alexander Roeschel must pay an administrative penalty of \$1,500 within 90 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" and transmitted to the Texas Department of Insurance, Attn: Enforcement, Division 60851, MC 9999, P.O. Box 12030, Austin, Texas 78711-2030.

It is also ordered that Roeschel must pay restitution in the amount of \$272.83 to Farmers Insurance Company within 90 days from the date of this order. The restitution must be paid by cashier's check or money order made payable to "Farmers Insurance Company" and transmitted to Farmers Insurance Company, c/o Mike Drummond, Internal Audit – [REDACTED], [REDACTED] Woodland Hills, California 91367.

Commissioner of Insurance

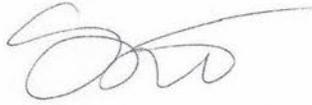
DocuSigned by:

By: C77A87C8C21B435...
Doug Slape
Chief Deputy Commissioner
TEX. GOV'T CODE § 601.002
Commissioner's Order No. 2018-5528

Recommended and reviewed by:



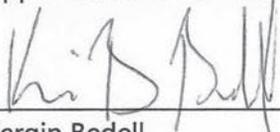
Leah Gillum, Deputy Commissioner
Enforcement Division

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Stephanie Daniels, Staff Attorney
Enforcement Division

Approved as to form and content:



Kergin Bedell
Counsel for Respondent

Affidavit

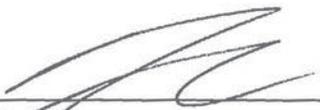
STATE OF Texas §
§
COUNTY OF Williams §

Before me, the undersigned authority, personally appeared Derek Alexander Roeschel, who being by me duly sworn, deposed as follows:

"My name is Derek Alexander Roeschel. 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.

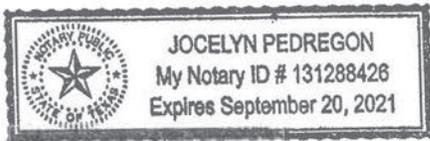
I have knowingly and voluntarily entered into this consent order and agree with and consent to the issuance and service of the same by the commissioner of insurance of the State of Texas."



Affiant

SWORN TO AND SUBSCRIBED before me on May 12th, 2021.

(NOTARY SEAL)





Signature of Notary Public
Jocelyn Pedregon

Printed Name of Notary Public