

No. 2021-6986

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

Date: 09/20/2021

Subject Considered:

Texas Department of Insurance

v.

Jeffrey Deon Brown

SOAH Docket No. 454-20-4541.C

ORDER ON MOTION FOR REHEARING

General remarks and official action taken:

The subject of this order is the motion for rehearing filed by Jeffrey Deon Brown. This order denies the motion.

Background

On July 28, 2021, Commissioner's Order No. 2021-6941 was issued. The order revoked Jeffrey Deon Brown's adjuster all lines license. The order was issued following a hearing on the merits at the State Office of Administrative Hearings and the issuance of a proposal for decision by the presiding administrative law judge.

Mr. Brown submitted a motion for rehearing on August 6, 2021. On September 2, 2021, staff for the Texas Department of Insurance submitted a reply to the motion for rehearing.

Discussion

Texas Government Code § 2001.146(g) requires that a motion for rehearing "identify with particularity findings of fact and conclusions of law that are the subject of the complaint and any evidentiary or legal ruling claimed to be erroneous. The motion must also state the legal and factual basis for the claimed error."

COMMISSIONER'S ORDER ON MOTION FOR REHEARING

TDI v. Jeffrey Deon Brown

SOAH Docket No. 454-20-4541.C

Page 2 of 3

Mr. Brown's motion disputes the relevance and wording of Findings of Fact Nos. 3 and 4. He claims the findings are misleading. Mr. Brown also contends that a finding of fact should have been made acknowledging that Allstate inspected the property in question before insuring it. Mr. Brown contends that this fact is exculpatory. Finally, Mr. Brown contends that the presiding administrative law judge erroneously admitted hearsay evidence (Exhibit 3). He claims that Findings of Fact Nos. 8 and 10 are based on this evidence.

Mr. Brown has failed to demonstrate that a rehearing is warranted in this case. His arguments do not demonstrate that Findings of Fact Nos. 3 and 4 are erroneous. He also fails to demonstrate how a finding regarding Allstate's inspection of his property in any way negates or calls into question the conclusion that he engaged in fraudulent or dishonest acts or practices. Finally, Mr. Brown has failed to demonstrate that the administrative law judge's admission of Exhibit 3 over his hearsay objections was erroneous. But even if admission of the evidence was done in error, there is sufficient additional evidence and analysis in the proposal for decision to support the ultimate conclusion that Mr. Brown engaged in fraudulent or dishonest acts or practices. Therefore, Mr. Brown is not entitled to a rehearing.

Order

It is ordered that the motion for rehearing filed by Jeffrey Deon Brown is denied.

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Cassie Brown
Commissioner of Insurance

COMMISSIONER'S ORDER ON MOTION FOR REHEARING
TDI v. Jeffrey Deon Brown
SOAH Docket No. 454-20-4541.C
Page 3 of 3

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