

No. 2023-8225

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

Date: 9/21/2023

Subject Considered:

Michael Patrick Stern
3400 Peachtree Rd NE Ste 630
Atlanta, GA 30326-1187

Consent Order
TDI Enforcement File No. 32721

General remarks and official action taken:

This is a consent order with Michael Patrick Stern. Michael Patrick Stern failed to timely file surplus lines policies and related documents. Michael Patrick Stern has agreed to pay an administrative penalty of \$2,300 for these violations.

Waiver

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

Findings of Fact

1. Michael Patrick Stern, license number 1969490, 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.

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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.

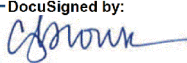
3. In 2022, Michael Patrick Stern filed surplus lines policies and related documents late.

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. Michael Patrick Stern 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. Michael Patrick Stern violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

Order

It is ordered that Michael Patrick Stern must pay an administrative penalty of \$2,300 within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which the department will send after entry of this order.

DocuSigned by:

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Cassie Brown
Commissioner of Insurance

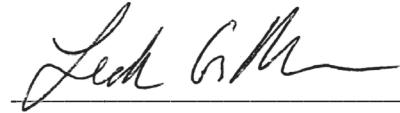
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Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Fraud and Enforcement Division



Mandy Meesey, Associate Commissioner
Enforcement

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Affidavit

THE STATE OF Colorado

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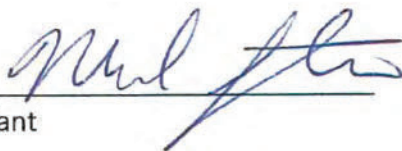
COUNTY OF Jefferson

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

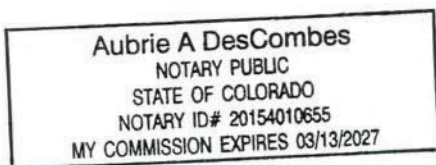
"My name is Michael Patrick Stern. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

I have knowingly and voluntarily entered into the foregoing 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 September 12th, 2023.

(NOTARY SEAL)




Signature of Notary Public

Aubrie A. DesCombes
Printed Name of Notary Public