

No. **2023-8247**

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

Date: 9/27/2023

Subject Considered:

Texas Department of Insurance

v.

Frank Julian Turney III; Frank Julian Turney, Jr.; The Houston Agencies Inc.; Turney & Son, Inc.; and Frank J. Turney Jr. Insurance Agency, Inc.

SOAH Docket No. 454-21-2548.C

Order on Motion for Rehearing

General Remarks and Official Action Taken:

The subject of this order is the motion for rehearing filed by Frank Julian Turney III; Frank Julian Turney, Jr.; The Houston Agencies Inc.; Turney & Son, Inc.; and Frank J. Turney Jr. Insurance Agency, Inc. (collectively, respondents).

Background

On August 3, 2023, Commissioner's Order No. 2023-8113 was issued. The order was issued following a hearing on the merits conducted by a State Office of Administrative Hearings administrative law judge, who prepared a proposal for decision with changes based on exceptions filed by the parties.

Order No. 2023-8113 adopted the administrative law judge's findings of fact and conclusions of law, and it revoked the licenses held by Frank Julian Turney III; The Houston Agencies Inc.; Turney & Son, Inc.; and Frank J. Turney, Jr. Insurance Agency, Inc. and it suspended the license held by Frank J. Turney, Jr. for two years, with the suspension probated.

Counsel for the respondents submitted a motion for rehearing on August 28, 2023. On September 7, 2023, counsel for the Texas Department of Insurance submitted a reply to the motion for rehearing.

COMMISSIONER'S ORDER ON MOTION FOR REHEARING

TDI v. Frank Julian Turney III; Frank Julian Turney, Jr.; The Houston Agencies Inc.; Turney & Son, Inc., and Frank J. Turney Jr. Insurance Agency, Inc.

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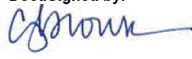
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Discussion

The respondents have failed to demonstrate that a rehearing is warranted in this case. The motion for a rehearing largely repeats arguments that were made to the administrative law judge and raises no issues that necessitate another hearing. These arguments were sufficiently addressed by the administrative law judge, and because the administrative law judge's proposed findings of fact and conclusions of law were adopted in Commissioner's Order No. 2023-8113, no rehearing is necessary.

Order

It is ordered that the motion for rehearing filed by Frank Julian Turney III; Frank Julian Turney, Jr.; The Houston Agencies Inc.; Turney & Son, Inc.; and Frank J. Turney Jr. Insurance Agency, Inc. is denied.

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Cassie Brown
Commissioner of Insurance

Recommended and reviewed by:

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Jessica Barta, General Counsel

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Justin Beam, Assistant General Counsel