

No. **2024-8642**

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

Date: 05/03/2024

Subject Considered:

Shanika Walker
Waxahachie, Texas

Consent Order
TDI Enforcement File No. 33434

General remarks and official action taken:

This is a consent order with Shanika Walker (Walker). Walker submitted a fraudulent auto insurance claim for a vehicle that she does not own. Walker agreed to a 1-year probated suspension of her license and payment of an administrative penalty of \$2,000 and restitution.

Waiver

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

Findings of Fact

1. Walker, individual identification number 2099856, holds a general lines agent license with a life, accident, health, and HMO qualification issued by the Texas Department of Insurance (TDI) on August 19, 2019.
2. Walker added a vehicle owned by D.G. to her insurance policy with Garrison Property & Casualty Insurance Company (a subsidiary of USAA) without his knowledge or consent.

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3. Walker filed an auto insurance claim with USAA on June 28, 2023, for the vehicle owned by D.G. for damages that existed on the vehicle prior to the policy coverage period.
4. Walker represented to USAA that the damage on the vehicle occurred on June 26, 2023, in Waxahachie, Texas, when she knew the damage occurred in May 2023 in Houston, Texas.
5. D.G., represented to USAA that he was not aware of the policy or the claim filed on his vehicle. USAA's investigation revealed that the damage to the vehicle was present prior to the date of policy coverage.
6. USAA issued payment on the claim to Walker in the amount of \$3,480.40. Payment was made prior to USAA's discovery that the damage pre-existed the policy coverage period.
7. Walker owes USAA \$2,053.65 for the fraudulent claim and represents that she has started a payment plan to pay that amount back within 12 months.

Conclusions of Law

1. The commissioner has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 84.021–84.044, and 4054.051.
2. The commissioner has the authority to informally dispose of this matter as set forth in TEX. GOV'T CODE § 2001.056; TEX. INS. CODE §§ 36.104 and 82.055; and 28 TEX. ADMIN. CODE § 1.47.
3. Walker has knowingly and voluntarily waived all procedural rights to which it 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. Walker violated TEX. INS. CODE § 4005.101(b)(5) by engaging in fraudulent or dishonest acts or practices.

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5. Walker willfully violated an insurance law of this state, as contemplated in TEX. INS. CODE § 4005.101(b)(1) by presenting to an insurer false or misleading material information in relation to a claim in violation of TEX. PEN. CODE § 35.02(a)(1).

Order

It is ordered that Shanika Walker's general lines agent license is suspended for one year. The suspension is probated pursuant to the terms and conditions stated in this order.

If, during the probation period imposed by this order, TDI issues any additional licenses or authorizations to Walker, those additional licenses or authorizations will be suspended until the probation period imposed by this order has ended. The suspension shall be probated, and the same terms and conditions stated in this order will apply.

Beginning from the date of this order and continuing through the probation period, Walker must file a written report, on or before the 15th day of each month on a quarterly basis for the months of March, June, September, and December with TDI by emailing it to EnforcementReports@tdi.texas.gov. The reports must include the following information:

- a. Walker's current mailing address and telephone number;
- b. the name, mailing address, and telephone number of Walker's employer, and if Walker is self-employed, a statement that she is self-employed, and the name, mailing address, and telephone number of her business;
 - a. If Walker is self-employed, a list of the name, mailing address, and telephone number of every employee working for her or her business;
- c. the name and address of any insurer which has appointed Walker as an agent;
- d. the name and address of any insurer which has canceled Walker's appointment as an agent; and
- e. a copy of any and all contracts Walker has entered into with an insurer, broker, managing general agent, managing general agency, or any person or entity in the business of insurance.

Walker must notify TDI immediately of the following by emailing EnforcementReports@tdi.texas.gov:

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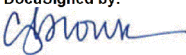
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- a. any charges or indictments filed against her for a misdemeanor or felony during the period she is required to file reports, excluding traffic offenses and Class C misdemeanors;
- b. any state or regulatory actions taken against her including formal and informal actions;
- c. any change in her employment or her residence; and
- d. any complaint made against Walker concerning her performance as an agent, as well as a written explanation detailing the steps taken to resolve it.

It is further ordered that Shanika Walker pay an administrative penalty of \$2,000 within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which TDI will send after entry of this order.

It is further ordered that Shanika Walker pay restitution to USAA in the amount of \$2,053.65.

DocuSigned by:

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Cassie Brown
Commissioner of Insurance

Recommended and reviewed by:



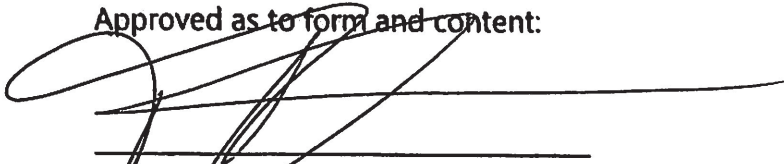
Leah Gillum, Deputy Commissioner
Fraud and Enforcement Division



Sydney Moore, Staff Attorney
Enforcement

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Approved as to form and content:



Tony Martin
Attorney for Shanika Walker

