

No. **2024-8883**

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

Date: 10/03/2024

Subject Considered:

TCI Excess & Surplus Lines, Inc.
515 West South-West Loop 323
Tyler, Texas 75701

Consent Order
TDI Enforcement File No. 35299

General remarks and official action taken:

This is a consent order with TCI Excess & Surplus Lines, Inc. TCI Excess & Surplus Lines, Inc. failed to timely file surplus lines policies and related documents. TCI Excess & Surplus Lines, Inc. has agreed to pay an administrative penalty of \$3,750 for these violations.

Waiver

TCI Excess & Surplus Lines, Inc. acknowledges that the Texas Insurance Code and other applicable law provide certain rights. TCI Excess & Surplus Lines, Inc. waives all of these rights, and any other applicable procedural rights, in consideration of the entry of this consent order.

Findings of Fact

1. TCI Excess & Surplus Lines, Inc., license number 4761, 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

2024-8883

Commissioner's Order
TCI Excess & Surplus Lines, Inc.
Page 2 of 4

- 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.

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 2023, TCI Excess & Surplus Lines, Inc. filed surplus lines policies and related documents late.
4. The commissioner previously disciplined TCI Excess & Surplus Lines, Inc. for violating TEX. INS. CODE § 981.105(a) in Official Order No. 10-0347, entered on April 27, 2010.

Conclusions of Law

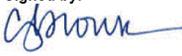
1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, and 981.105.
2. The commissioner of insurance has authority to informally dispose of this matter under TEX. INS. CODE § 82.055, TEX. GOV'T CODE § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.
3. TCI Excess & Surplus Lines, Inc. 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. TCI Excess & Surplus Lines, Inc. TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

2024-8883

Commissioner's Order
TCI Excess & Surplus Lines, Inc.
Page 3 of 4

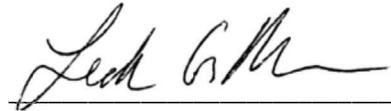
Order

It is ordered that TCI Excess & Surplus Lines, Inc. must pay an administrative penalty of \$3,750 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.

Signed by:

FC5D7EDDFFB4F8...

Cassie Brown
Commissioner of Insurance

Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Fraud and Enforcement Division



Jacob Harry, Attorney
Enforcement

Affidavit

THE STATE OF Texas

§

COUNTY OF Smith

§

§

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

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

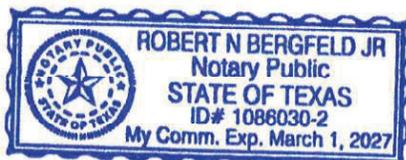
I hold the office of CFO and am the authorized representative of TCI Excess & Surplus Lines, Inc. I am duly authorized by the organization to execute this statement.

TCI Excess & Surplus Lines, Inc. has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas.

Katherine Rice
Affiant

SWORN TO AND SUBSCRIBED before me on Sept 10th, 2024.

(NOTARY SEAL)



Robert N. Bergfeld Jr.
Signature of Notary Public

Robert N. Bergfeld Jr.
Printed Name of Notary Public