

No. **2024-8993**

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

Date: 12/04/2024

Subject Considered:

Anthony Saras
Allen, Texas

Default Order
TDI Enforcement File No. 33370

General remarks and official action taken:

The subject of this default order is whether an adjuster all-lines license should be issued to Anthony Saras (Respondent). Respondent did not respond to a Notice of Allegations mailed by the Texas Department of Insurance. This order denies Respondent's license application.

The following findings of fact and conclusions of law are adopted:

Findings of Fact

Failure to Respond to Notice of Allegations

1. On October 30, 2024, the department sent a Notice of Allegations, attached as Exhibit A, to Respondent.
2. The department sent the Notice of Allegations to Respondent's last known address provided in writing to the department, [REDACTED], Allen, TX 75002.
3. Respondent received and waived an opportunity for a hearing because Respondent failed to send the department a written response to the Notice of Allegations within 20 days after the date the Notice of Allegations was mailed.

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Commissioner's Order

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4. The department's factual allegations set out in the attached Notice of Allegations are incorporated in this order as findings of fact.

Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, 4101.051, and 4101.201; 28 TEX. ADMIN. CODE § 1.502¹; TEX. OCC. CODE §§ 53.021-53.023; and TEX. GOV'T CODE §§ 2001.003(1) and 2001.051-2001.178.
2. The commissioner has authority to dispose of this case informally under TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE § 1.47.
3. The department provided proper notice to Respondent under TEX. GOV'T CODE §§ 2001.003(1), 2001.051, 2001.052, 2001.054, and 2001.056(4), and 28 TEX. ADMIN. CODE §§ 1.28, and 1.47.
4. Based on Respondent's failure to send the department a written response to the Notice of Allegations, the department is entitled to disposition by default under 28 TEX. ADMIN. CODE § 1.47.
5. Respondent failed to show compliance with the law.
6. The department's factual and legal allegations set out in the attached Notice of Allegations are incorporated in this order and deemed admitted as true under 28 TEX. ADMIN. CODE § 1.47.

¹ All references to 28 TEX. ADMIN. CODE § 1.502 herein, are to the version of that rule pre-dating amendments adopted in Order 2023-8185, effective on and after September 26, 2023.

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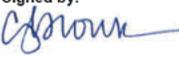
Commissioner's Order

Anthony Saras

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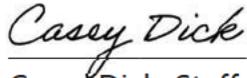
Order

It is ordered that Anthony Saras' application is denied. A copy of this order will be provided to law enforcement or other appropriate administrative agencies for further investigation as may be warranted.

Signed by:

FC5D7EDDFFB4F8...

Cassie Brown
Commissioner of Insurance

Prepared and reviewed by:



Casey Dick, Staff Attorney
Enforcement

Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §

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

"My name is Roxanne Rodriguez and I am employed by the Texas Department of Insurance. I am of sound mind, capable of making this affidavit, and have personal knowledge of these facts which are true and correct.

I have reviewed TDI's records concerning Anthony Saras. I have confirmed that:

- a. The last mailing address provided to the department in writing by Anthony Saras is [REDACTED], Allen, TX 75002.
- b. The file maintained by Enforcement contains a Notice of Allegations dated October 30, 2024, which was sent to Anthony Saras.
- c. On October 30, 2024, the Notice of Allegations addressed to Anthony Saras was mailed first-class and certified, return receipt requested, to his last known address.

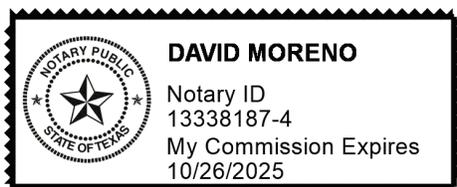
Copies of the first-class mail log and certified mail log maintained by Enforcement are attached as Exhibit B and Exhibit C, respectively."

Signed by:

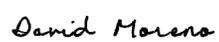
 838DCF88E515403...
 Affiant

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 11/20/2024. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:

 455E4109E15D4CD...
 Notary Public State of Texas

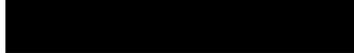
2024-8993



PO Box 12030 | Austin, TX 78711 | 800-578-4677 | tdi.texas.gov

October 30, 2024

Anthony Saras

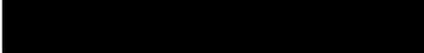


Allen, TX 75002

Via CM/RRR No. 9214 8901 9403 8385 1508 04

Via First Class Mail

Via Email:



**TDI ENFORCEMENT CASE NO. 33370
NOTICE OF ALLEGATIONS AGAINST ANTHONY SARAS**

The Texas Department of Insurance (TDI) seeks to deny your license application. This Notice states the allegations against you and the relief sought by TDI.

YOUR WRITTEN RESPONSE IS REQUIRED WITHIN 20 DAYS

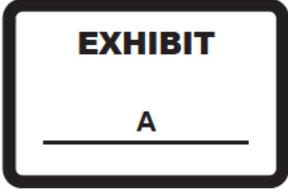
YOU HAVE THE RIGHT TO A HEARING AND ARE INVITED TO SHOW COMPLIANCE WITH THE LAW. To request a hearing, you must send a written response to TDI within 20 days of the date this Notice was mailed.

If you fail to send a written response by the deadline, *you waive your right to a hearing*, and TDI may seek disposition by default under 28 TEX. ADMIN. CODE § 1.47, TEX. INS. CODE § 82.055, and TEX. GOV'T. CODE § 2001.056.

If you fail to send a written response by the deadline, without further notice to you, the commissioner of insurance may issue a default order that admits the factual matters asserted, deems all allegations as true, and orders the relief recommended in this Notice.

You must send your written response by mail, fax, or email to:

Casey Dick, Staff Attorney
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
casey.dick@tdi.texas.gov



Jurisdiction

The commissioner of insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 4001.002, 4005.101, 4005.102, 4101.051, and 4101.201, 28 TEX. ADMIN. CODE § 1.502¹, TEX. OCC. CODE §§ 53.021-53.023, and TEX. GOV'T CODE §§ 2001.003(1) and 2001.051–2001.178.

Factual Allegations

License Application

1. On May 10, 2023, Anthony Saras (Saras) submitted an application to TDI for an adjuster all lines license.
2. TDI proposed to deny Saras' application on August 1, 2023, based on his criminal history. Saras made a written request for a hearing to appeal that decision.

Criminal History

3. On June 23, 2016, in the County Court at Law #1 of Collin County, Texas, case number 001-88857-2015, Saras was convicted of misdemeanor assault causing bodily injury and was sentenced to three days confinement in the Collin County Jail with credit for three days served.
4. On October 26, 2016, Saras pleaded guilty to theft of property greater than \$1,500 but less than \$20,000, a state jail felony, in case number F15-2038-16 in the 16th District Court of Denton County, Texas. Saras was sentenced to two years deferred adjudication and 60 days in Denton County Jail, and was ordered to pay \$2,978.99 in restitution.
5. Saras' deferred adjudication in case number F15-2038-16 was entered under the condition that Saras, "commit no offense against the laws of this state or any other state or of the United States."

¹ All references to 28 TEX. ADMIN. CODE § 1.502 herein, are to the version of that rule pre-dating amendments adopted in Order 2023-8185, effective on and after September 26, 2023.

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6. On June 12, 2019, the 16th District Court of Denton County, in case number F15-2038-16, revoked Saras' deferred adjudication. The Court then adjudicated Saras' offense as a class A misdemeanor theft conviction, and Saras was sentenced to 180 days in county jail with credit for 34 days served.
7. On that same day, June 12, 2019, in a different case number F18-2072-16 in the 16th District Court of Denton County, Texas, Saras separately pleaded guilty to and was convicted of a second-Class A misdemeanor of lesser included attempted theft. Saras was sentenced to 180 days in county jail with credit for one day served, to run concurrently with his sentence in case number F15-2038-16.
8. On July 15, 2021, Saras was convicted of attempted fraudulent use and possession of fewer than five items of identification information, a Class A misdemeanor, in case number D-1-DC-19-500228 in the 390th District Court of Travis County, Texas. Saras was ordered to pay \$270 court costs and sentenced to 114 days in county jail.
9. On December 14, 2022, Saras was convicted of a state jail felony theft of property greater than \$2,500 but less than \$30,000, in case number 19-0244-K277 in the 277th District Court of Williamson County, Texas. Saras was sentenced to six months in state jail with credit for 179 days served.
10. In three related matters, case numbers 004-85222-2022, 004-85223-2022, and 004-82139-2023, in the County Court at Law #4, Collin County, Texas, Saras was convicted on February 10 and May 12, 2023, of three misdemeanors:
 - a. assault causing bodily injury to a family member, with an affirmative finding of family violence;
 - b. interference with an emergency request for assistance; and
 - c. criminal mischief greater than or equal to \$750 but less than \$2,500.
11. For each of these three misdemeanor convictions, the Collin County Court at Law #4 imposed the same sentence. In each case, Saras was ordered to pay \$287 in statutory fines due within thirty days and sentenced to one day in jail with further confinement until all such costs and fines are paid or until the term of confinement expired, with two days credit for the time spent in jail following

his arrest. In each case, Saras was also ordered to pay his court appointed attorney fees if he was no longer indigent, and to pay a \$15 one-time fee.

Material Misstatements to TDI

5. Saras submitted his license application two days before his last (seventh) misdemeanor conviction was adjudicated.
6. In the license application, Saras falsely answered "no" to the following two separate questions:
 - a. "Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?"
 - b. "Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?"
7. Saras' answers to both questions were false because at the time he submitted the application, he had been convicted of a total of six misdemeanors and one felony.
8. By twice answering "no," Saras made material misstatements to TDI in his license application in his attempt to obtain a license.

Legal Allegations

1. Saras has committed acts for which a license may be denied under TEX. INS. CODE § 4005.101 because he has:
 - a. intentionally made a material misstatement in the license application, as contemplated by TEX. INS. CODE § 4005.101(b)(2);
 - b. attempted to obtain a license by fraud or misrepresentation, as contemplated by TEX. INS. CODE § 4005.101(b)(3);
 - c. engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5); and

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- d. been convicted of a felony, as contemplated by TEX. INS. CODE § 4005.101(b)(8).
2. Saras committed felony offenses and has engaged in fraudulent or dishonest activity that directly relate to the duties and responsibilities of the licensed occupation, as contemplated in 28 TEX. ADMIN. CODE § 1.502(d) and (f) and TEX. OCC. CODE § 53.021(a)(1).
3. Saras committed offenses that TDI considers to be of such a serious nature that they are of prime importance in determining fitness for licensure, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e) and TEX. OCC. CODE §§ 53.021–53.023.
4. Saras committed an offense for which fraud, dishonesty, or deceit is an essential element, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(1).
5. Saras committed a felony involving moral turpitude, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(3).
6. Saras committed an offense with the essential elements of a theft, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(4)(F).
7. TDI guidelines, 28 TEX. ADMIN. CODE § 1.502(c)-(e), emphasize that TDI:
 - a. considers it very important that applicants be honest, trustworthy, and reliable;
 - b. may refuse to issue an original license if TDI determines that the applicant has committed a felony or misdemeanor that directly relates to the duties and responsibilities of the licensed occupation;
 - c. considers any offense for which fraud, dishonesty, or deceit is an essential element to be of such a serious nature that it is of prime importance when determining fitness for licensure;
 - d. considers any felony offense involving moral turpitude to be of such a serious nature that it is of prime importance when determining fitness for licensure; and

- e. considers any offense with the essential elements of a theft to be of such a serious nature that it is of prime importance when determining fitness for licensure.

- 8. Saras has been convicted of a felony involving dishonesty or breach of trust, as specified in 18 U.S.C. § 1033, and which requires written consent from the commissioner of insurance to engage or participate in the business of insurance.

Relief Sought

TDI seeks the following relief:

- 1. denial of your license application;
- 2. denial of consent to allow you to engage or participate in the business of insurance under 18 U.S.C. § 1033; and,
- 3. imposition of any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

Respectfully,

Casey Dick

Casey Dick

State Bar No. 24132039

Texas Department of Insurance

Enforcement, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6328 (Direct)

(512) 490-1020 (Fax)

Casey.Dick@tdi.texas.gov

cc: Leah Gillum, Deputy Commissioner, Fraud and Enforcement Division, MC: ENF
Rachel Cloyd, Litigation Director, Enforcement, MC: ENF
Administrative Review, MC: CO-AAL

CERTIFICATE OF SERVICE

I, Casey Dick, certify that a true and correct copy of this *Notice of Allegations Anthony Saras* was sent by the following methods on this 30th day of October, 2024, to:

Anthony Saras

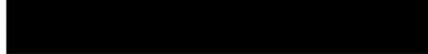


Allen, TX 75002

Via CM/RRR No.: 9214 8901 9403 8385 1508 04

Via First Class Mail

Via Email:



Casey Dick

Casey Dick

2024-8993

Shipment Confirmation Acceptance Notice



A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, must match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 10/30/2024

Shipped From:

Name: ENF M RUIZ

Address: 1601 CONGRESS AVENUE

City: AUSTIN

State: TX ZIP+4® 78701

RECEIVED
OCT 31 2024
AUSTIN TX 78701

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

RECEIVED
OCT 31 2024
AUSTIN TX 78701

*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0056 6891 66

DICK/33370

RECEIVED
OCT 31 2024
TDI - ENFOR

EXHIBIT
C



Firm Mailing Book For Accountable Mail

2024-8993

Name and Address of Sender

ENF M RUIZ
1601 CONGRESS AVENUE
STE 6.900
AUSTIN, TX 78701

Check type of mail or service

- Adult Signature Required
- Adult Signature Restricted Delivery
- Certified Mail
- Certified Mail Restricted Delivery
- Collect on Delivery (COD)
- Insured Mail
- Priority Mail
- Priority Mail Express
- Registered Mail
- Return Receipt for Merchandise
- Signature Confirmation
- Signature Confirmation Restricted Delivery

USPS Tracking/Article Number

1. 9214 8901 9403 8385 1508 04

DICK/33370

Addressee (Name, Street, City, State, & ZIP Code™)

ANTHONY SARAS
[REDACTED]
ALLEN, TX 75002

Affix Stamp Here
(for additional copies of this receipt).
Postmark with Date of Receipt.

Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
0.97	4.85	Handling Charge - if Registered and over \$50,000 in value				Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling



Total Number of Pieces Listed by Sender

1

Total Number of Pieces Received at Post Office

[Signature]

PS Form 3877, January 2017 (Page 1 of 1)

PSN 7530-02-000-9098

Complete in Ink

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