

No. 2024-9032

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

Date: 12/18/2024

Subject Considered:

Carmen Guerrero
Garland, TX 75040

Default Order
TDI Enforcement File No. 33722

General remarks and official action taken:

This is a default order taken against Carmen Guerrero (Respondent) because she engaged in dishonest conduct by submitting fictitious information to an insurance company and failed to respond to a Texas Department of Insurance (TDI) inquiry. Respondent did not respond to a Notice of Allegations mailed by TDI. This order revokes Respondent's license.

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

Findings of Fact

Failure to Respond to Notice of Allegations

1. On November 18, 2024, TDI sent a Notice of Allegations, attached as Exhibit A, to Respondent.
2. TDI sent the Notice of Allegations to Respondent's last known address provided in writing to the department, [REDACTED] Garland, TX 75040.
3. Respondent received and waived an opportunity for a hearing because Respondent failed to send TDI 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

Carmen Guerrero

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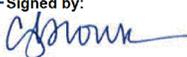
4. TDI's factual allegations set out in the attached Notice of Allegations are incorporated in this order as findings of fact.

Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.102, 4001.105, 4005.101-4005.105, 4054.051; 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. TDI 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, 1.47, and 19.906.
4. Based on Respondent's failure to send TDI 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. TDI'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.

Order

It is ordered that any licenses held by Carmen Guerrero are revoked. 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:

FC5D7EDDFB4F8...

Cassie Brown
Commissioner of Insurance

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Commissioner's Order

Carmen Guerrero

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Prepared and reviewed by:

Nancy Williams

Nancy Williams, 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 Carmen Guerrero. I have confirmed that:

- a. The last mailing address provided to the department in writing by Carmen Guerrero is [REDACTED] Garland, TX 75040.
- b. The file maintained by Enforcement contains a Notice of Allegations dated November 18, 2024, which was sent to Carmen Guerrero.
- c. On November 18, 2024, the Notice of Allegations addressed to Carmen Guerrero was mailed first-class and certified, return receipt requested, to her last known address.

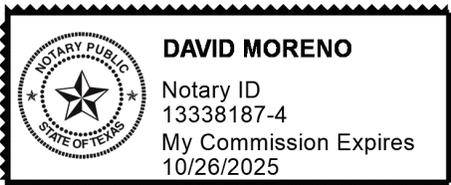
Copies of the first-class mail log and certified mail log maintained by Enforcement are attached as Exhibit B and Exhibit C, respectively."

Signed by:

 33937522A8AC4D5...
 Affiant

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 12/11/2024. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:

 455E4109E15D4CD...
 Notary Public State of Texas

2024-9032



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

November 18, 2024

Carmen Guerrero
[REDACTED]
Garland, TX 75040

Via CM/RRR No. 9214 8901 9403 8388 5479 08
Via USPS First Class Mail
Via Email: [REDACTED]

**TDI ENFORCEMENT CASE NO. 33722
NOTICE OF ALLEGATIONS AGAINST CARMEN GUERRERO**

The Texas Department of Insurance (TDI) seeks to take disciplinary action against you. This Notice states the allegations against you and the relief sought by TDI.

YOUR WRITTEN RESPONSE IS REQUIRED WITHIN 20 DAYS

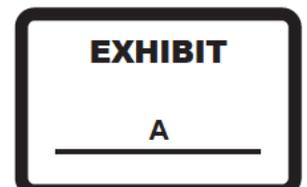
YOU HAVE THE RIGHT TO A HEARING AND ARE INVITED TO SHOW COMPLIANCE WITH THE LAW. To request a hearing, you must send a written response to TDI within 20 days of the date this Notice was mailed.

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:

Nancy Williams, Staff Attorney
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
nancy.williams@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, 4054.051; and TEX. GOV'T CODE §§ 2001.003(1), and 2001.051–2001.178.

Factual Allegations

1. Carmen Guerrero (Guerrero), individual identification number 2796170, holds a general lines agent license with a qualification in life, accident, health & HMO issued by the Texas Department of Insurance (TDI) on August 16, 2023.
2. On October 31, 2023, Guerrero was appointed as a life agent producer for Columbian Life Insurance (Columbian).
3. Guerrero was one of nine agents appointed by Columbian who were part of an investigation which revealed that the agents operated from the same IP address and submitted fictitious applications containing nearly identical information (age, occupation, tobacco use, and income), with many using the same bank account information for electronic fund transfer (EFT) payments. During an estimated two month period, the agents derived combined advanced commissions of over \$50,000.
4. Guerrero submitted 11 of the 55 fictitious life policy applications discovered in the investigation.
5. On December 13, 2023, Guerrero's appointment was canceled by Columbian.
6. On March 14, 2024, TDI sent an inquiry letter about the allegations to Guerrero's address of record via certified mail. No response was received.

Legal Allegations

1. Guerrero committed acts for which she may be disciplined under Tex. Ins. Code § 4005.101(b), including revocation of her license, as contemplated under Tex. Ins. Code § 82.051.
2. Guerrero engaged in fraudulent or dishonest acts or practices, as contemplated under Tex. Ins. Code § 4005.101(b)(5).

3. Guerrero failed to submit a required response to TDI's inquiry, as contemplated under TEX. INS. CODE § 38.001.

Relief Sought

TDI seeks the following relief:

1. revocation of your license, and
2. 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,



Nancy Williams
State Bar No. 24058175
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6338 (Direct)
(512) 490-1020 (Fax)
nancy.williams@tdi.texas.gov

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

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Notice of Allegations

Carmen Guerrero

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CERTIFICATE OF SERVICE

I, Nancy Williams, certify that a true and correct copy of this *Notice of Allegations Against Carmen Guerrero* was sent by the following methods on November 18, 2024:

Carmen Guerrero
2 [REDACTED]
Garland, TX 75040

Via CM/RRR No. 9214 8901 9403 8388 5479 08
Via USPS First Class Mail
Via Email: [REDACTED]



Nancy Williams

Name and Address of Sender
 Texas Dept of Insurance
 Mail Code ENF
 1601 Congress Avenue, Suite 6.900
 Austin TX 78701
 Mary Ruiz, November 18, 2024

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
 First-Class Mail
 Priority Mail Express
 Registered Mail
 Return Receipt for Merchandise
 Signature Confirmation
 Signature Confirmation Restricted Delivery

WILLIAMS/33722 USPS Tracking/Reference Number

Address (Name, Street, City, State, & Zip Code)
 CARMEN GUERRERO
 GARLAND, TX 75040

Art's Stamp Here
 (if issued as an international certificate of mailing or for additional copies of this receipt). Postmark with Date of Receipt



Postage 1.69

Handling Charge-if Reg.

value

- Adult Signature Required
- Adult Signature Restricted Delivery
- Restricted Delivery
- Return Receipt
- Signature Confirmation
- Signature Confirmation Restricted Delivery
- Special Handling



Total Number of Pieces
 Total Number of Pieces
 Received at Post Office

①

Uthmaniyah

Completed in Ink

Privacy Note: For more information on USPS privacy policies, visit usps.com/privacy policy.

Firm Mailing Book for Accountable Mail

EXHIBIT
 B



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: 11/18/2024
Shipped From:
Name: ENF M RUIZ
Address: 1601 CONGRESS AVENUE
City: AUSTIN
State: TX ZIP+4® 78701

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

*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:

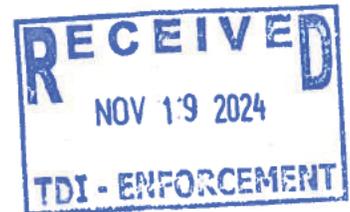
1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

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

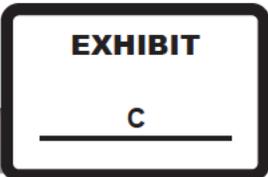
USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0057 1021 21



WILLIAMS/33722



Firm Mailing Book For Accountable Mail

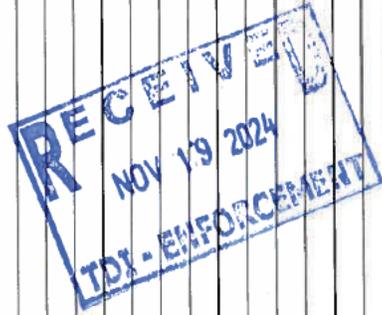


Name and Address of Sender
 ENF M RUIZ
 1601 CONGRESS AVENUE
 STE 6.900
 AUSTIN TX 78701

- 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

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

USPS Tracking/Article Number	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
1. 9214 8901 9403 8388 5479 08 WILLIAMS/33722	0.69	4.85							2.62			
		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: 1

Postmaster, Per (Name of receiving employee)
 Williams

PS Form 3877, January 2017 (Page 1 of 1) Complete in Ink

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